



House Permanent Select Committee on Intelligence

# Report on Russian Active Measures

March 22, 2018

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Abbreviations

AP	Associated Press	NASS	National Association of Secretaries of State
APT	Advanced Persistent Threat	NATO	North Atlantic Treaty Organization
CIA	Central Intelligence Agency	NCCIC	National Cybersecurity and Communications Integration Center
CSP	Counterintelligence Scope Polygraph	NGO	Non-governmental Organization
DAG	Deputy Attorney General	NIST	National Institute for Standards and Technology
DCCC	Democratic Congressional Campaign Committee	NSA	National Security Agency
DHS	Department of Homeland Security	NSAC	Candidate Trump's National Security Advisory Committee
DIA	Defense Intelligence Agency	NSC	National Security Council
DNC	Democratic National Committee	ODNI	Office of the Director of National Intelligence
DNI	Director of National Intelligence	PTT	Presidential Transition Team
DOJ	Department of Justice	RNC	Republican National Committee
EAC	U.S. Election Assistance Commission	RT	Formerly known as Russia Today
EU	European Union	SCI	Sensitive Compartmented Information
FARA	Foreign Agents Registration Act	SIGINT	Signals Intelligence
FBI	Federal Bureau of Investigation	SIS	Moldovan Intelligence Service
FEC	Federal Election Commission	SSA	Supervisory Special Agent
FISA	Foreign Intelligence Surveillance Act	SVR	Russian Foreign Intelligence Service
FISC	Foreign Intelligence Surveillance Court	UK	United Kingdom
FSB	Russian Federal Security Bureau	VOIP	Voice Over Internet Protocol
FY	Fiscal Year	VPN	Virtual Private Network
GRU	Russian General Staff Main Intelligence Directorate		
HPSCI	House Permanent Select Committee on Intelligence (the Committee)		
HUMINT	Human Intelligence		
IAA	Intelligence Authorization Act		
IC	Intelligence Community		
ICA	Intelligence Community Assessment		
ICD	Intelligence Community Directive		
ICPG	Intelligence Community Policy Guidance		
IRA	Internet Research Agency		

(U) Referenced Persons

[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
Assange	Julian	Founder of WikiLeaks
Bannon	Steve	Former Senior Counselor to the President and White House Chief Strategist (January-August 2017); former Chief Executive Officer of Donald Trump's 2016 presidential campaign; former Executive Chairman of Breitbart News
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
Brennan	John	Former Director of the Central Intelligence Agency (2013-2017)
Cameron	David	Former Prime Minister of the United Kingdom (2010-2016)
Chalka	Yuri	Prosecutor General of the Russian Federation (2006-present)
Clapper	James	Former Director of National Intelligence (2010-2017)
Clinton	Hillary	Nominated as the Democratic candidate for President in 2016; former Secretary of State (2009-2013); former First Lady of the United States
Clovis	Sam	Senior White House Advisor to the United States Department of Agriculture (2017-present); National Co-chair of Donald Trump's 2016 presidential campaign
Cohen	Michael	Executive Vice President of the Trump Organization and Special Counsel to Donald Trump
Comey	James	Former Director of the Federal Bureau of Investigation (2013-2017)
Conway	Kellyanne	Counselor to the President (2017-present); Campaign Manager of Donald Trump's 2016 presidential campaign (August 17, 2016-November 8, 2016)
Dearborn	Rick	White House Deputy Chief of Staff for Legislative, Intergovernmental Affairs (2017-present); Executive Director of the 2016 Presidential Transition Team
[REDACTED]	[REDACTED]	[REDACTED]
Diveykin	Igor	Deputy Chief for Internal Policy of the Russian Federation
Djukanovic	Milo	Former President of Montenegro from 1998-2002; former Prime Minister from 2003-2006, 2008-2010, and 2012-2016
Dmitriev	Kirill	Chief Executive Officer of the Russian Direct Investment Fund
Downer	Alexander	Australian High Commissioner to the United Kingdom
Dvorkovich	Arkady	Chairman of the Board of Directors of Russian Railways
[REDACTED]	[REDACTED]	[REDACTED]
Fatah el-Sisi	Abdel	President of Egypt (2014-present)



(U) Referenced Persons (cont)

Flynn	Michael	National Security Advisor (January 2017-February 2017)
[REDACTED]	[REDACTED]	[REDACTED]
Gates	Rick	Deputy to Paul Manafort (June-August 2016)
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
Gordon	J.D.	Director of National Security of Donald Trump's 2016 presidential campaign
Graham	Lindsay	United States Senator from South Carolina (2003-present); former member of the United States House of Representatives from South Carolina (1993-2003)
Grassley	Chuck	United States Senator from Iowa (1981-present); former member of the United States House of Representatives from Iowa (1973-1981)
Hicks	Hope	White House Director of Communications (2017-present); former White House Director of Strategic Communications (January 2017-September 2017); National Press Secretary of the Presidential Transition Team; Communications Director of Donald Trump's 2016 presidential campaign; former employee of the Trump Organization
Johnson	Jeh	Former Secretary of Homeland Security (2013-2017)
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
Kellogg	Kelth	Executive Secretary and Chief of Staff of the National Security Council (February 2017-present); Acting National Security Advisor (February 2017); foreign policy advisor of Donald Trump's 2016 presidential campaign
Kemp	Brian	Secretary of State of the State of Georgia (2010-present)
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
Kushner	Jared	Senior Advisor to the President; son-in-law of the President (married Ivanka Trump in 2009); real-estate developer
Lavrov	Sergey	Minister of Foreign Affairs of the Russian Federation (2004-present)
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
Lynch	Loretta	Former Attorney General of the United States (2015-2017)
Macron	Emmanuel	President of France (2017-present)
[REDACTED]	[REDACTED]	[REDACTED]
Manafort	Paul	Chairman of Donald Trump's 2016 presidential campaign (June-August 2016)
Mashburn	John	Co-led, with Senator Sessions, the foreign policy advisory panel of Donald Trump's 2016 presidential campaign
McCabe	Andrew	Former Deputy Director of the Federal Bureau of Investigation (2016-2018)

(U) Referenced Persons (cont)

McConnell	Mitch	Senate Majority Leader (2015-present); United States Senator from Kentucky (1985-present)
McCord	Mary	Former Acting Assistant Attorney General of the United States (2016-2017); former Principal Deputy Assistant Attorney General for National Security (2014-2016)
McGahn	Don	White House Counsel (January 2017-present); General Counsel of the Presidential Transition Team (November 2016-January 2017); Counsel to the Trump campaign during Donald Trump's 2016 presidential campaign
Merkel	Angela	Chancellor of Germany (2005-present)
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
Mueller	Robert	Special Counsel for the United States Department of Justice (May 2017-present); former Director of the Federal Bureau of Investigation (2001-2013)
Obama	Barack	Former President of the United States (2009-2017)
[REDACTED]	[REDACTED]	[REDACTED]
Papadopoulos	George	Former member of the foreign policy advisory panel to Donald Trump's 2016 presidential campaign
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
Pelosi	Nancy	Minority Leader of the United States House of Representatives (2011-present); former Speaker of the United States House of Representatives (2007-2011); member of the United States House of Representatives from California (1987-present)
Pence	Mike	Vice President of the United States (2017-present); former Governor of Indiana (2013-2017); former member of the United States House of Representatives from Indiana (2001-2013)
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
Podesta	John	Chairman of Hillary Clinton's 2016 presidential campaign; former White House Chief of Staff; former Counselor to the President
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
Pompeo	Mike	Secretary of State nominee (March 2018); Director of the Central Intelligence Agency (January 2017-present); former member of the United States House of Representatives from Kansas (2011-2017)



(U) Referenced Persons (cont)

[REDACTED]	[REDACTED]	[REDACTED]
Putin	Vladimir	President of the Russian Federation (2012-present)
Reid	Harry	Former Minority Leader of the United States Senate (2015-2017); former United States Senator from Nevada (1987-2017)
Rice	Susan	Former National Security Advisor (2013-2017); former United States Ambassador to the United Nations (2009-2013)
Romney	Mitt	Former Republican nominee for President (2012); former Governor of Massachusetts (2003-2007)
Ryan	Paul	Speaker of the United States House of Representatives (2015-present); member of the United States House of Representatives from Wisconsin (1999-present)
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
Schiller	Keith	Former Deputy Assistant to the President and Director of Oval Office Operations (January 2017-September 2017); former Director of Security for the Trump Organization (2004-2017)
Schmitz	Joe	Former foreign policy advisor to Donald Trump; former Inspector General of the United States Department of Defense (2002-2005)
[REDACTED]	[REDACTED]	[REDACTED]
Sessions	Jeff	Attorney General of the United States (2017-present); member of the 2016 Presidential Transition Team and Donald Trump's 2016 presidential campaign; former United States Senator from Alabama (1997-2017)
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
Steele	Christopher	Founder of British research firm Orbis Business Intelligence; former British intelligence professional
Stone	Roger	Former advisor of Donald Trump's 2016 presidential campaign
Sullivan	Jake	Senior Policy Advisor of Hillary Clinton's 2016 presidential campaign; former National Security Advisor to the Vice President (2013-2014)
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
Trump	Donald J.	President of the United States (2017-present); career real estate developer and television host and producer
Trump, Jr.	Donald	President Trump's son; Trump Organization executive



**(U) Referenced Persons (cont)**

<del>TOP SECRET</del>	<del>TOP SECRET</del>	<del>TOP SECRET</del>
Yanukovich	Viktor	Former President of Ukraine (2010-2014)
Yates	Sally	Former Acting Attorney General of the United States (Jan 2017); former Deputy Attorney General of the United States (2015-2017)

## **(U) Preface**

(U) In 2015, Russia began engaging in a covert influence campaign aimed at the U.S. presidential election. The Russian government, at the direction of President Vladimir Putin, sought to sow discord in American society and undermine our faith in the democratic process. Now, more than a year after the election, the American people rightfully want to know what the Russians did; how they did it; with whose support, if anyone's; and what can be done to counter any election tampering by foreign adversaries in the future.

(U) With this charge, the House Permanent Select Committee on Intelligence (the Committee) initiated an investigation in January 2017 with the mandate to examine (1) what Russian cyber activity and other active measures (covert influence activities run by the Russian intelligence services) were directed against the United States and its allies; (2) whether the Russian active measures include links between Russia and individuals associated with presidential campaigns; (3) what was the U.S. government response to these Russian active measures and what do we need to do to protect ourselves and our allies in the future; and (4) what possible leaks of classified information took place related to the Intelligence Community's assessment of these matters. Our goal was to provide, to the greatest extent practicable, a full accounting of what happened, how it happened, and recommendations for protecting

our democratic processes and institutions in the future.

(U) From the investigation's inception, we were determined to follow the facts wherever they might lead within the agreed-upon scope and refer any criminality (if found) to the appropriate authorities. During the investigation we identified numerous shortcomings, including counterintelligence concerns, classified leaks, puzzling legal processes, and inappropriate or questionable behavior. All of these are enumerated in this report through findings, recommendations, and conclusions.

(U) We reviewed every piece of relevant evidence provided to us and interviewed every witness we assessed would substantively contribute to the agreed-upon bipartisan scope of the investigation. We acknowledge that investigations by other committees, the Special Counsel, the media, or interest groups will continue and may find facts that were not readily accessible to the Committee or outside the scope of our investigation. We will ensure any new discoveries are considered in the due course of the Committee's continuing oversight responsibilities.

(U) We would like to recognize the tireless work of the Committee's staff, which remained professional and dedicated throughout this inquiry. They deserve our nation's gratitude. We would also like to thank the thousands of men and women who serve in the IC. They will wake up to-

morrow and continue their watch to protect the American people against further threats from Russia and other adversaries.

(U) Nevertheless, the Committee remains concerned that Russia will continue to undermine western democracies by stoking social strife, political unrest, and division. As a country, it is time for us to reflect, understand what happened, fix the discovered problems, and unify around the common purpose of countering any future influence campaigns by Russia or any other nation.



## **(U) Introduction and Overview**

**(U)** Russia's interference in the 2016 U.S. presidential election was nothing novel for the Kremlin. The Kremlin aspires to sow chaos and discord and advance its agenda in targeted nations, particularly in Europe and former Soviet republics such as the Baltics and Ukraine. To do this, Russia effectively combines decades of experience in propaganda and psychological warfare techniques with its vast media apparatus, a strata of well-educated and proficient technicians, and a robust intelligence and security corps.

**(U)** In the United States, Russian cyberattacks related to the 2016 elections starkly highlighted technical vulnerabilities in U.S. digital infrastructure and bureaucratic shortcomings that were exploited by the Kremlin. Russia's active measures campaign achieved its primary goal of inciting division and discord among Americans. For more than a year, U.S. politics have been consumed by bitter recriminations, charges, and counter-charges about the attacks. The reliability of the democratic vote—the bedrock of the U.S. republic—was widely and repeatedly questioned.

**(U)** At the time of the 2016 U.S. presidential election cycle, the Committee was already concerned with Russian malfeasance and aggression in levels that had not been seen since the Cold War. In fact, the IAA for fiscal years 2016 and 2017 included multiple provisions to improve the United States' ability to counter Russian aggression. However, the Kremlin's malicious activities

during the 2016 U.S. presidential election triggered the Committee to announce a specific inquiry into Russia's campaign (see Appendix B). The bipartisan parameters focused the investigation and this report—this Committee examined: (1) Russian cyber activity and other active measures that were directed against the United States and its allies; (2) whether the Russian active measures include links between Russia and individuals associated with presidential campaigns; (3) the U.S. government response to these Russian active measures and what we need to do to protect ourselves and our allies in the future; and (4) what possible leaks of classified information took place related to the Intelligence Community's assessment of these matters.<sup>1</sup> The Committee interviewed 73 witnesses, conducted 9 hearings and briefings, reviewed approximately 307,900 documents, and issued 20 subpoenas. This allowed the Committee to find answers crucial for identifying and addressing institutional weaknesses to assist the United States with identifying and responding to inevitable hostile acts in the future.

**(U)** While the 2016 U.S. presidential election helped focus American attention on Russian cyber and information operations, the Russian government has conducted active measure campaigns in Europe for years. Believing it is engaged in an information war with the West, Russia's influence activities employ an array of tactics—usually tailored

to the target country's population and environment—in an effort to accomplish the Kremlin's goals. These goals generally include influencing an opponent's leadership and population, advancing a narrative, or inducing a behavior change. The factors that make these campaigns successful also make them hard to counter. However, governments, non-governmental organizations, and media organizations in Europe have begun taking actions to address and mitigate the threat that Russian influence campaigns pose.

(U) The Russian active measures campaign against the United States was multifaceted. It leveraged cyberattacks, covert platforms, social media, third-party intermediaries, and state-run media. Hacked material was disseminated through this myriad network of actors with the objective of undermining the effectiveness of the future administration. This dissemination worked in conjunction with derisive messages posted on social media to undermine confidence in the election and sow fear and division in American society.

(U) The U.S. government's subsequent response to the Russian active measures campaign during the 2016 election was slow and inconsistent. [REDACTED]

[REDACTED] As that picture evolved, the FBI's notification to victims and oversight committees was inconsistent in timeliness and quality, which contributed to the victims' failure to both recognize the

threat and defend their systems. State and local governments were slow to grasp the seriousness of the threat and when notified of breaches continued to resist any action that implied federal direction or control. Some states opted not to cooperate with important defensive measures offered by the DHS. While no tabulation systems, or systems that count votes, were impacted, the overall security posture of the U.S. federal, state, and local governments was demonstrated to be inadequate and vulnerable.

(U) The Committee's investigation also reviewed the opening, in summer 2016, of a FBI enterprise counterintelligence investigation into [REDACTED] Trump campaign associates: [REDACTED] Carter Page, [REDACTED]

[REDACTED] Because of "the sensitivity of the matter," the FBI did not notify congressional leadership about this investigation during the FBI's regular counterintelligence briefings.<sup>2</sup> Three of [REDACTED] original subjects of the FBI investigation have been charged with crimes and the Committee's review of these cases covers the period prior to the appointment of Special Counsel in May 2017.

(U) While the Committee found no evidence that the Trump campaign colluded, coordinated, or conspired with the Russian government, the investigation did find poor judgment and ill-considered actions by the Trump and Clinton campaigns. For example, the June 2016 meeting at Trump Tower between members of the Trump campaign



and a Russian lawyer who falsely purported to have damaging information on the Clinton campaign demonstrated poor judgment. The Committee also found the Trump campaign's periodic praise for and communications with Wikileaks—a hostile foreign organization—to be highly objectionable and inconsistent with U.S. national security interests. The Committee also found that the Clinton campaign and the DNC, using a series of cutouts and intermediaries to obscure their roles, paid for opposition research on Trump obtained from Russian sources, including a litany of claims by high-ranking current and former Russian government officials. Some of this opposition research was used to produce sixteen memos, which comprise what has become known as the Steele dossier.

**(U)** The effectiveness and relatively low cost of information operations, such as the dissemination of propaganda, make it an attractive tool for foreign adversaries. Unless the cost-benefit equation of such operations changes significantly, the Putin regime and other hostile governments will continue to pursue these attacks against the United States and its allies. Based on the investigation, the Committee recommends several solutions to help safeguard U.S. and allies' political processes from nefarious actors, such as the Russians.

1. HPSCI Press Release, *Intelligence Committee Chairman, Ranking Member Establish Parameters for Russia Investigation*, Mar. 1, 2017.
2. HPSCI, "Russian Active Measures Investigation Open Hearing," Mar. 20, 2017.

**(U) Summary Table of Findings**

<b>CHAPTER 1: RUSSIAN CAMPAIGNS IN EUROPE</b>
(U) Finding #1: The Kremlin exploits free or independent media spaces and open democracies to conduct active measures in Europe.
(U) Finding #2: Russia supports fringe political parties and non-governmental organizations in Europe to further the Kremlin's agenda while also disparaging or discrediting politicians and groups seen as hostile to Moscow.
(U) Finding #3: Russia conducts increasingly aggressive cyber operations against European governments; a tactic that will continue to present a profound threat.
(U) Finding #4: Russia targets disaffected European populations and exploits social, political, and racial divisions in an effort to sow discord, encourage unrest, and incite protests.
(U) Finding #5: Russia leverages business and economic ties in Europe to achieve the Kremlin's goals, message displeasure, or inflict punishment.
(U) Finding #6: European governments and media outlets are conducting a variety of activities to combat Russian influence campaigns.
<b>CHAPTER 2: RUSSIA ATTACKS THE UNITED STATES</b>
(U) Finding #7: Russia conducted cyberattacks on U.S. political institutions in 2015-2016.
(U) Finding #8: Russian-state actors and third-party intermediaries were responsible for the dissemination of documents and communications stolen from U.S. political organizations.
(U) Finding #9: The Russian government used RT to advance its malign influence campaign during the 2016 U.S. presidential election.
(U) Finding #10: Russian intelligence leveraged social media in an attempt to sow social discord and to undermine the U.S. electoral process.
<b>CHAPTER 3: AMERICA REACTS</b>
(U) Finding #11: The Federal Bureau of Investigation's notification to numerous Russian hacking victims was largely inadequate.
(U) Finding #12: Communication between the Department of Homeland Security and state election officials was impeded by state officials' mistrust of federal government overreach coupled with a unprecedented level of Russian cyber intrusions.



**(U) Summary Table of Findings (cont)**

CHAPTER 3: AMERICA REACTS (CONT)
(U) Finding #13: The joint Office of the Director of National Intelligence and Department of Homeland Security public statement attributing election interference to Russia was ineffective.
(U) Finding #14: The Executive Branch's post-election response was insufficient.
(U) Finding #15: The majority of the Intelligence Community Assessment judgments on Russia's election activities employed proper analytic tradecraft.
(U) Finding #16: The Intelligence Community Assessment judgments on Putin's strategic intentions did not employ proper analytic tradecraft.
(U) Finding #17: The Federal Bureau of Investigation opened an enterprise counterintelligence investigation into the Trump campaign after receiving information related to Trump campaign foreign policy advisor George Papadopoulos.
(U) Finding #18: As part of the enterprise counterintelligence investigation into the Trump campaign, the Federal Bureau of Investigation opened an individual counterintelligence investigation into Carter Page.
(U) Finding #19: The dossier compiled by Christopher Steele formed an essential part of an application to the Foreign Intelligence Surveillance Court to obtain electronic surveillance on Carter Page.
(U) Finding #20: Special Counsel Robert Mueller indicted Paul Manafort on several charges, none of which relate to allegations of collusion, coordination, or conspiracy between the Trump campaign and the Russian government.
[REDACTED]
(U) Finding #22: General Flynn pleaded guilty to making a false statement to the Federal Bureau of Investigation regarding his December 2016 conversations with Ambassador Kislyak, even though the Federal Bureau of Investigation agents did not detect any deception during Flynn's interview.
(U) Finding #23: Executive Branch officials did not notify the Trump campaign that members of the campaign were assessed to be potential counterintelligence concerns.
(U) Finding #24: The February 2018 indictment of the Internet Research Agency and Russian nationals exposes Russian actors and their intent to spread distrust towards the candidates and the political system in general.

**(U) Summary Table of Findings (cont.)**

CHAPTER 4: CAMPAIGN LINKS WITH RUSSIA
(U) Finding #25: When asked directly, none of the interviewed witnesses provided evidence of collusion, coordination, or conspiracy between the Trump campaign and the Russian government.
(U) Finding #26: The Committee found no evidence that President Trump's pre-campaign business dealings formed the basis for collusion during the campaign.
(U) Finding #27: The Republican national security establishment's opposition to candidate Trump created opportunities for two less-experienced individuals with pro-Russia views to serve as campaign advisors: George Papadopoulos and Carter Page.
(U) Finding #28: The change in the Republican Party platform regarding Ukraine resulted in a stronger position against Russia, not a weaker one, and there is no evidence that Paul Manafort was involved.
(U) Finding #29: There is no evidence that Trump associates were involved in the theft or publication of Clinton campaign-related emails, although Trump associates had numerous ill-advised contacts with WikiLeaks.
(U) Finding #30: Carter Page did not travel to Moscow in July 2016 on behalf of the Trump campaign, but the Committee is concerned about his seemingly incomplete accounts of his activity in Moscow.
(U) Finding #31: George Papadopoulos' attempts to leverage his Russian contacts to facilitate meetings between the Trump campaign and Russians was unsuccessful.
(U) Finding #32: Donald Trump Jr., Jared Kushner, and Paul Manafort attended a June 9, 2016, meeting at Trump Tower where they expected to receive—but did not ultimately obtain—derogatory information on candidate Clinton from Russian sources.
(U) Finding #33: Donald Trump Jr. briefly met with a Russian government official at the 2016 National Rifle Association annual meeting, but the Committee found no evidence that the two discussed the U.S. presidential election.
(U) Finding #34: The Committee found no evidence that meetings between Trump associates—including Jeff Sessions—and official representatives of the Russian government—including Ambassador Kislyak—reflected collusion, coordination, or conspiracy with the Russian government.



**(U) Summary Table of Findings (cont.)**

<b>CHAPTER 4: CAMPAIGN LINKS WITH RUSSIA (CONT.)</b>
(U) Finding #35: Possible Russian efforts to set up a "back channel" with Trump associates after the election suggest the absence of collusion during the campaign, since the communication associated with collusion would have rendered such a "back channel" unnecessary.
(U) Finding #36: Prior to conducting opposition research targeting candidate Trump's business dealings, Fusion GPS conducted research benefitting Russian interests.
(U) Finding #37: The law firm Perkins Coie hired Fusion GPS on behalf of the Clinton campaign and the Democratic National Committee to research candidate Trump's Russia ties.
(U) Finding #38: Christopher Steele claims to have obtained his dossier information second- and third-hand from purported high-placed Russian sources, such as government officials with links to the Kremlin and intelligence services.
(U) Finding #39: Christopher Steele's information from Russian sources was provided directly to Fusion GPS and Perkins Coie and indirectly to the Clinton campaign.
<b>CHAPTER 5: INTELLIGENCE COMMUNITY ASSESSMENT LEAKS</b>
(U) Finding #40: Leaks of classified information regarding Russian intentions to sow discord in the U.S. presidential election began prior to the election day—November 8, 2016.
(U) Finding #41: Leaks of classified information alleging Russian intentions to help elect candidate Trump increased dramatically after the election day—November 8, 2016.
(U) Finding #42: The leaks prior to the classified Intelligence Community Assessment's publication, particularly leaks occurring after the U.S. presidential election, correlate to specific language found in the Intelligence Community Assessment.
(U) Finding #43: Continued leaks of classified information have damaged national security and potentially endangered lives.
(U) Finding #44: Former Director of National Intelligence James Clapper, now a CNN national security analyst, provided inconsistent testimony to the Committee about his contacts with the media, including CNN.



**(U) Summary Table of Recommendations**

<b>CHAPTER 1: RUSSIAN CAMPAIGNS IN EUROPE</b>
(U) Recommendation #1: European governments, non-governmental organizations, businesses, think tanks, and academia should strengthen legal and regulatory environments, promote media pluralism, build professional media associations, and improve the financial sustainability of legitimate news outlets.
(U) Recommendation #2: European governments, non-governmental organizations, businesses, think tanks, and academia should implement and encourage multi-pronged, country-wide efforts by both public and private entities to combat Russian propaganda, technical, and cyber operations.
(U) Recommendation #3: European governments, non-governmental organizations, businesses, think tanks, and academia should implement more stringent cyber security practices, such as multifactor authentication and encryption of sensitive data, as well as educating workforces on basic cyber security topics and best practices.
(U) Recommendation #4: European governments should look to long-term solutions to lessen economic dependence on Russia.
<b>CHAPTER 2 &amp; 3: RUSSIA ATTACKS THE UNITED STATES AND AMERICA REACTS</b>
(U) Recommendation #5: Congress should identify options available to the private sector and federal government that would address the social media vulnerabilities exploited by the Russian government.
(U) Recommendation #6: Congress should consider updating the Foreign Intelligence Surveillance Act to cover malicious international cyber actors.
(U) Recommendation #7: The Federal Bureau of Investigation should improve cyberattack victim notification.
(U) Recommendation #8: Threats identified by the Intelligence Community to state and local elections infrastructure should be immediately briefed to appropriate state and local officials. When threats are identified, the federal government should conduct an expedited declassification review to ensure that the threat information can reach all necessary state and local officials in a timely manner.
(U) Recommendation #9: The Secretary of Homeland Security should provide certain designated state and local election officials appropriate security clearances to enable those officials to respond to election-related threats.



**(U) Summary Table of Recommendations (cont.)**

<b>CHAPTER 2 &amp; 3: RUSSIA ATTACKS THE UNITED STATES AND AMERICA REACTS (CONT.)</b>
<b>(U) Recommendation #10:</b> Significant threats to U.S. elections identified by the Intelligence Community, including cyberattacks directed at political organizations, should be immediately reported to the Congressional intelligence committees.
<b>(U) Recommendation #11:</b> Congress should encourage the adoption of National Institute of Standards and Technology cyber security standards, such as those adopted by the Elections Assistance Commission, by providing federal resources to state and local governments to facilitate such adoption. Funds should be tied to the adoption and certification of elections systems to appropriate standards.
<b>(U) Recommendation #12:</b> Congress should consider additional funding for the National Institute of Standards and Technology to enable better outreach to state and local governments.
<b>(U) Recommendation #13:</b> Congress should consider a one-time grant to state and local election agencies to conduct a risk assessment of those agencies' computer systems.
<b>(U) Recommendation #14:</b> Congress should consider strengthening the Help America Vote Act of 2002 to ensure that both statewide voter registration and tabulation systems are better protected from foreign cyber threats.
<b>(U) Recommendation #15:</b> The Department of Homeland Security should provide the owner or operator of any electronic election infrastructure affected by any significant foreign cyber intrusion with a briefing and include steps that may be taken to mitigate such intrusions.
<b>(U) Recommendation #16:</b> State and local governments should be encouraged to establish redundancies that are not dependent on current elections infrastructure, such as a mechanism that retains individual vote records, ensuring the integrity of the vote in the event of a compromise of voting infrastructure due to a foreign cyberattack. An example of such a redundancy is a contemporaneously created paper record reflecting the voter's selections.
<b>(U) Recommendation #17:</b> While it is important to implement lessons learned from the Executive Branch's response, Congress should not hamper the Executive Branch's ability to use discretion in responding to a particular foreign threat.
<b>(U) Recommendation #18:</b> Congress should consider repealing the Logan Act.



(U) Summary Table of Recommendations (cont.)

CHAPTER 2 & 3: RUSSIA ATTACKS THE UNITED STATES AND AMERICA REACTS (CONT.)
(U) Recommendation #19: All U.S. presidential campaigns should receive unclassified counterintelligence briefings at an appropriate time prior to a nomination convention.
(U) Recommendation #20: When consistent with national security, the Intelligence Community should immediately inform U.S. presidential candidates when it discovers a legitimate counterintelligence threat to the campaign, and promptly notify Congress.
(U) Recommendation #21: Both houses of Congress should consider requiring all staff to receive an annual counterintelligence awareness briefing.
CHAPTER 4: CAMPAIGN LINKS TO RUSSIA
(U) Recommendation #22: Political campaigns and law enforcement should ensure that their counterintelligence defenses appropriately account for the role of cut-outs and intermediaries.
(U) Recommendation #23: Congress should consider amending current campaign finance laws to further increase transparency regarding services provided by foreign persons or entities.
CHAPTER 5: INTELLIGENCE COMMUNITY ASSESSMENT LEAKS
(U) Recommendation #24: Each component of the Intelligence Community should update its guidance regarding media contacts to ensure the guidance applies to every employee, including senior officials.
(U) Recommendation #25: Congress should consider legislation to increase the penalties for unauthorized disclosures of classified information.
(U) Recommendation #26: The Executive Branch should consider instituting mandatory polygraphs for all non-confirmed political appointees that have top secret clearances.

## (U) Chapter 1—Russian Influence Campaigns in Europe

*Key Question #1: What Russian cyber activity and other active measures were directed against the United States and its allies?*

(U) While Americans became acutely aware of Russian cyber and information operations after the 2016 U.S. presidential election, these activities were not new to Europe. [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

(U) Russia conducts information warfare in an effort to manipulate the populace and leadership of the nations it targets. To these ends, Russia employs an array of tactics for its influence activities in an effort to advance the Russian government's interests. When successful, these activities can influence an opponent's leadership and population to advance a narrative and induce a behavior change, concurrently serving multiple Russian objectives.

(U) Russia's goals for these campaigns include: to advance the Kremlin's interests; discredit the West; confuse or distort events that threaten Russia's image; break Western political cohesion; and defend Russia's role as a vital global power. More specific and country-tailored goals also include to: weaken, divide, and halt further expansion of consensus-driven institutions like NATO and the EU; sow confusion and amplify divisions among segments of Western populations; challenge establishment politics; damage U.S. foreign policy goals; advance Russia's version of world events; distract from controversial Russian policies and activities; reverse perceived anti-Russian policies; improve bilateral relations; and strengthen economic ties.

### UNCLASSIFIED SOVIET PROPAGANDA TARGETING THE WEST AFTER WORLD WAR II



Translation: American Nazis. Who helps whom?  
Source: Marzhan Elm Fozulov

UNCLASSIFIED

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]



(U) Aiding in Russia's influence activities, the modern world's widespread use of the internet and social media for news and communications has allowed Russia to: quickly and easily weaponize data stolen in cyber breaches; disseminate propaganda, misinformation, and disinformation; and aggravate social, racial, and political divisions.

[REDACTED]

(U) Finding #1: The Kremlin exploits free or independent media spaces and open democracies to conduct active measures in Europe.

[REDACTED]

(U) Russia also exploits free media

spaces and open democracies through a network of Russian state-owned news outlets and media platforms, such as Sputnik and RT, which promote Russia's image abroad and show foreigners world events from a Russian perspective (see Appendix C).

(U) The Kremlin's active measures, or information warfare, strategy includes several tactics:

[REDACTED]

[REDACTED]

- (U) After alleged Russian interference in the Brexit vote, in October 2013, the U.K. Electoral Commission announced a probe into this activity. According to open source reporting, Russian-based Twitter accounts posted more than 45,000 messages about Brexit in 48 hours during the 2016 referendum vote.<sup>7</sup>

(U) [REDACTED]





[REDACTED]

pugn the target's character or reputation.

[REDACTED]

[REDACTED]

**UNCLASSIFIED**  
**ANTI-MERKEL PROTESTS FOLLOWING A**  
**RUSSIAN INFLUENCE CAMPAIGN**



Source: The Guardian

**UNCLASSIFIED**

(U) In another example during the recent French Presidential elections, Russian-controlled media highlighted defamatory stories about the private life and campaign funding of the more Russia-skeptic candidate Emmanuel Macron. Two days before the final presidential election, data hacked from Macron's En Marche party was posted on a data sharing website. Cybersecurity researchers attributed the hack to the same GRU group that hacked the DNC.<sup>27</sup>

(U) In a tactic dating back to the Soviet era, Moscow also denigrates and discredits people and groups seen as hostile to its interests [REDACTED]

(U) Finding #3: Russia conducts increasingly aggressive cyber operations against European governments; a tactic that will continue to present a profound threat.

(U) Kremlin-linked journalists and media outlets also will engage in misinformation: weaving truth and falsehoods together to create misleading reports intended to im-

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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- [REDACTED]

- [REDACTED]

(U) Finding #4: Russia targets disaffected European populations and exploits social, political, and racial divisions in an effort to sow discord, encourage unrest, and incite protests.

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(U) Finding #5: Russia leverages business and economic ties in Europe to achieve the Kremlin's goals, message displeasure, or inflict punishment.

(U) Russia is adept at utilizing economic ties to its advantage. Moscow aims to deepen business ties with individuals that



can be used as agents of influence, and countries whose dependence on trade with Russia create vulnerabilities to Russian influence. Economic vulnerability—such as reliance on Russia for trade or energy—can be leveraged to change behavior, message displeasure, or inflict punishment. For example, Germany imports about 40 percent of its natural gas from Russia. Because of this, many business leaders are lobbying for the removal of sanctions against Russia.<sup>37</sup>

[REDACTED]

[REDACTED]

[REDACTED]

**(U) Finding #6: European governments and media outlets are conducting a variety of activities to combat Russian influence cam-**

paings.

**(U)** According to a 2016 study by the RAND Corporation, Russia’s various tactics for conducting information operations, combined with its lack of a consistent, ideological goal, make countering these activities difficult. This study found that the factors that make Russian disinformation effective—the high volume of stories, its rapid, continuous nature, and lack of consistency—are the same factors that make it difficult to counter.<sup>32</sup>

**UNCLASSIFIED**  
**2017 EUROPEAN SEMINAR ON BOLSTERING RESILIENCE TO ACTIVE MEASURES CAMPAIGNS**



Source: H. H. H. CoE

**UNCLASSIFIED**

**(U)** Many European governments are taking proactive steps to counter Russian propaganda and disinformation efforts. NATO has prioritized efforts to counter “hybrid threats” by developing a strategy that includes strengthened coordination with the European Union, as well as training and exercises through its new Intelligence Division. The Strategic Communications Center of Excellence in Riga, Latvia and the Cooperative Cyber Defense Center of Excellence in Tallinn, Estonia also contribute to these efforts. In addition, several NATO al-

TOP SECRET// [REDACTED] [REDACTED]  
lies and European Union members signed a Memorandum of Understanding to establish a European Center of Excellence for Countering Hybrid Threats in April 2017.<sup>43</sup>

(U) [REDACTED]  
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(U) In France, the French newspaper *Le Monde* launched a web platform to allow readers to check the reliability of French and international websites with an Internet browser extension that will alert readers when they come across false or unverified stories.<sup>46</sup>

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(U) In 2017, Ukraine banned Russian social media platforms, as well as RT and Sputnik—though the latter two can still be accessed online. Additionally, media platforms such as StopFake are used to identify false news stories.<sup>50</sup>

(U) In November 2016, the European Parliament adopted a resolution to counteract anti-EU propaganda by third parties.<sup>51</sup>

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[REDACTED]  
[REDACTED]



[REDACTED]

(U) Russia's active measures campaign in Europe is nothing new, but the growing frequency and intensity of Russian influence efforts pose an increasingly significant threat to the United States and its allies. The Committee has taken significant measures to highlight this growing threat to the American people since at least 2015. Specifically, the Intelligence Authorization Act (IAA) for fiscal years 2016 and 2017 included multiple provisions to improve the United States' ability to counter Russian aggression:

- (U) FY 2016 IAA, Section 502. Assessment on funding of political parties and nongovernmental organizations by the Russian Federation.
- (U) FY 2016 IAA, Section 503. Assessment on the use of political assassinations as a form of statecraft by the Russian Federation.
- (U) FY 2017 IAA, Section 501. Com-

mittee to Counter Active Measures by the Russian Federation to Exert Covert Influence Over Peoples and Governments.

- (U) FY 2017 IAA, Section 502. Travel of Accredited Diplomatic and Consular Personnel of the Russian Federation in the United States.
- (U) FY 2017 IAA, Section 503. Study and Report on Enhanced Intelligence and Information Sharing with Open Skies Treaty Member States.

[REDACTED]

(U) Additionally, in 2016 the Committee held two hearings and seven briefings for Committee Members on Russia and related issues, and the Chairman and Members of the Committee sent six letters to the Administration urging stronger action against Russia. For example, Committee Members urged the Obama administration to hold Russia accountable for multiple violations of the Intermediate-Range Nuclear Forces Treaty, and expressed concern over likely Russian attempts to utilize the Open Skies Treaty for intelligence collection purposes. Additionally, in spring 2016, Chairman Nunes declared the inability to predict the plans and intentions of the Putin regime "the biggest intelligence failure since

9/11. 56

1. [REDACTED]
2. [REDACTED]
3. [REDACTED]
4. [REDACTED]
5. [REDACTED]
6. [REDACTED]
7. Alexi Mostrous, Mark Bridge, Katie Gibbons, "Russia Used Twitter Bots and Trolls "To Disrupt" Brexit Vote," *The Times UK*, Nov. 15, 2017.
8. [REDACTED]
9. [REDACTED]
10. [REDACTED]
11. Sonam Sheth, "Our Task Was to Set Americans Against Their Own Government": New Details Emerge About Russia's Trolling Operation, *Business Insider*, Oct. 17, 2017.
12. European Endowment for Democracy, *Bringing Plurality and Balance to the Russian Language Media Space*, June 25, 2015.
13. [REDACTED]
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16. HPSCI, HPSCI Staff Delegation to Berlin, Germany, Sept. 16, 2017.
17. [REDACTED]
18. [REDACTED]
19. [REDACTED]
20. [REDACTED]
21. [REDACTED]
22. TrendMicro, "From Espionage to Cyber Propaganda: Pawn Storm's Activities over the Past Two Years," Apr. 25, 2017.
23. [REDACTED]
24. [REDACTED]
25. [REDACTED]
26. [REDACTED]
27. HPSCI, HPSCI Staff Delegation to Berlin, Germany, Sept. 16, 2017; LexisNexis, *Discovery Services Fact Sheet: "How Many Pages in a Gigabyte?"*, Dec. 23, 2017.
28. [REDACTED]
29. [REDACTED]
30. [REDACTED]
31. [REDACTED]
32. [REDACTED]
33. [REDACTED]
34. HPSCI, HPSCI Staff Delegation to Chisinau, Moldova, Sept. 19, 2017.
35. [REDACTED]
36. [REDACTED]
37. HPSCI, HPSCI Staff Delegation to Berlin, Germany, Sept. 16, 2017.
38. [REDACTED]
39. [REDACTED]
40. [REDACTED]



- 41. [REDACTED]
- 42. [REDACTED]
- 43. NATO, "NATO Welcomes Opening of European Centre for Countering Hybrid Threats," Apr. 11, 2017.
- 44. [REDACTED]
- 45. [REDACTED]
- 46. [REDACTED]
- 47. [REDACTED]
- 48. [REDACTED]
- 49. HPSCI, HPSCI Staff Delegation to Tallinn, Estonia, Sept. 15, 2017.
- 50. HPSCI, HPSCI Staff Delegation to Kiev, Ukraine, Sept. 21, 2017.
- 51. European Parliament, "European Parliament resolution of 23 November 2016 on EU strategic communications to counteract propaganda against it by third parties," Nov. 23, 2016.
- 52. [REDACTED]
- 53. [REDACTED]
- 54. GAO, *Russia: U.S. Government Takes a Country-Specific Approach to Addressing Disinformation Overseas*, May 2017.
- 55. [REDACTED]
- 56. Bridget Johnson, "Chairman: Biggest Post 9/11 Intelligence Failure was Misreading Putin," *PJ Media*, Apr. 13, 2016; Saagar Enjeti, "US Response to Russian Spying is 'Biggest Intelligence Failure Since 9/11,'" Sept. 15, 2016; Susan Jones, "Rep. Devin Nunes: We've Been Warning Administration About Russian Hacking 'And They Did Nothing,'" *CNS News*, Jan. 9, 2017.

**(U) Chapter 2 - Russia Attacks the United States**

**Key Question #1: What Russian cyber activity and other active measures were directed against the United States and its allies?**

(U) The Russian government’s multifaceted malign influence campaign was the subject of extensive public reporting in the months before the January 5, 2017, publication of the classified ICA titled *Assessing Russian Activities and Intentions in Recent US Elections*. While many of the facts concerning the attack have been widely disseminated, there are important elements of the Russian campaign that remain classified.

(U) The purpose of the Committee’s review of the Russian information operations was to establish the facts, as well as the federal government’s understanding of those facts. This chapter specifically examines (1) the cyberattacks that targeted U.S. political organizations (including the method of the attack and its attribution); (2) the dissemination of hacked material; and (3) the role of Russian state media and social media in Russia’s malign influence campaign.

**(U) Finding #7: Russia conducted cyberattacks on U.S. political institutions in 2015-2016.**

[REDACTED]

(U) The Committee agrees with this statement and finds the ICA assessment of

Russian responsibility to be based on compelling facts and well-reasoned analysis.

[REDACTED]

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[REDACTED]





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. 8

[REDACTED]

[REDACTED]

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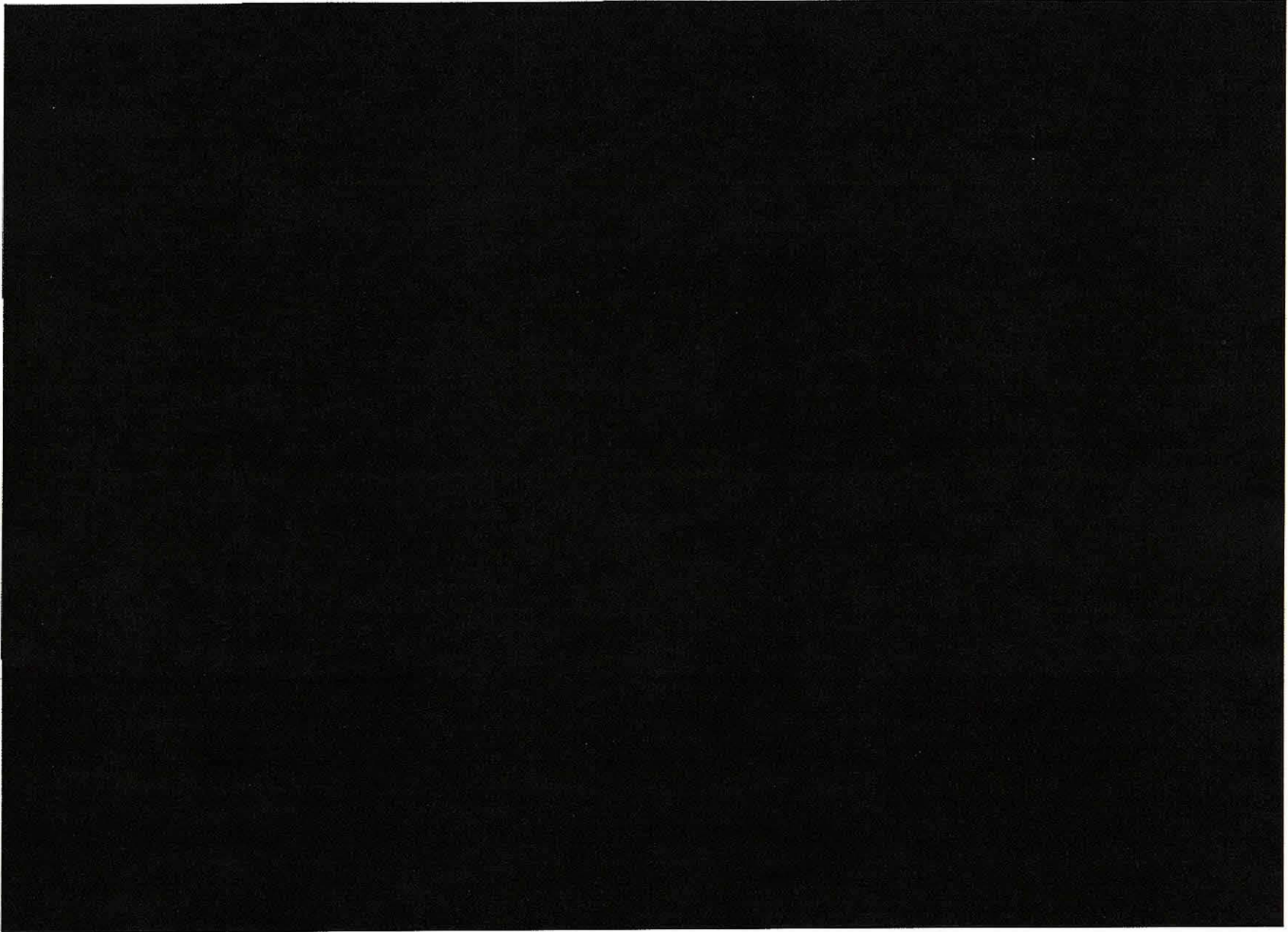
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PROPERTY OF THE U.S. HOUSE OF REPRESENTATIVES

[REDACTED]

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lective dissemination of information from hacked U.S. political systems. This represents a "significant escalation in directness, level of activity, and scope of effort" in Russia's "longstanding desire to undermine the US-led liberal democratic order." It is therefore likely that high-level Russian government approval was required in both planning and execution of the operation.<sup>16</sup>

**(U) Russian-state Actors**

**(U) Guccifer 2.0 and DC Leaks**

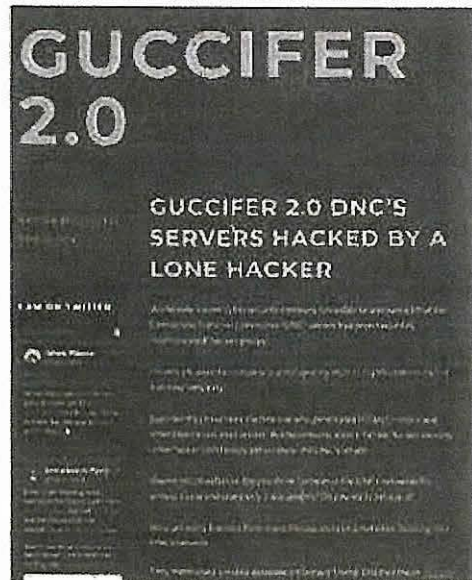
[REDACTED]

**(U)** While the intelligence case for attribution to Russia is significant, alternative scenarios have been examined to include an insider threat or another cyber actor. No credible evidence was found supporting either alternative, including a review of information contained in classified intelligence reports.

**(U) Finding #8: Russian-state actors and third-party intermediaries were responsible for the dissemination of documents and communications stolen from U.S. political organizations.**

**(U)** Russian-state actors and third party intermediaries were responsible for the se-

**UNCLASSIFIED  
GUCCIFER 2.0 TAKES CREDIT FOR  
DNC HACK ON WORDPRESS.COM**



Source: Wordpress.com (guccifer2.wordpress.com)

**UNCLASSIFIED**





- (U) Multiple cybersecurity firms have evaluated Guccifer 2.0's activity and have published evidence that the online persona used a Russian-based VPN service to transmit files and communicate. Additionally, posted documents were processed on a computer using Russian language settings;<sup>24</sup>
- (U) During interactions with the media, Guccifer 2.0 denied any relationship with the Russian government and claimed to be Romanian. However, when pressed to explain how he hacked into the DNC in his native Romanian language, he failed to demonstrate fluency. Guccifer 2.0 terminated the interview when challenged on this point;<sup>25</sup>

(U) [REDACTED]  
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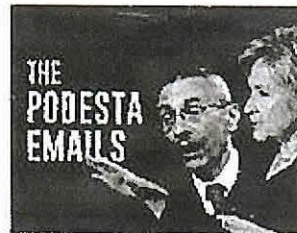
**(U) WikiLeaks**

(U) WikiLeaks played a key role in Russia's malign influence campaign and served as a third party intermediary for Russian intelligence during the period leading up to the 2016 U.S. presidential election.

(U) The global reach of WikiLeaks and its established ties to the media makes it an attractive outlet for the dissemination of stolen documents intended to undermine the United States and its electoral process. In addition, WikiLeaks' historic actions, which have undermined U.S. interests and been beneficial to Russia, make the organization an ideal intermediary for Russian intelligence.<sup>27</sup>

**UNCLASSIFIED  
 GUCCIFER 2.0 & WIKILEAKS**

11  
 WikiLeaks @wikileaks 19 Oct  
 RELEASE: The Podesta Emails Part 1



11 11 11 11 11 11

Source: Twitter

**UNCLASSIFIED**

(U) WikiLeaks relies on hackers, leakers, and other criminal agents to acquire personal, confidential, and classified material for publication. [REDACTED]

[REDACTED]  
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 [REDACTED]

[REDACTED] As part of that dissemination, WikiLeaks sent 118 tweets promoting the hacked material. WikiLeaks messaging was then magnified by 426,000 other users' tweets. According to Twitter, as much as 25% of these tweets could have



been the result of automated activity associated with Russia's malign influence campaign.<sup>28</sup>

[REDACTED]

{U} The Committee finds ample evidence that RT is not only a state-enterprise, but is subject to the editorial control of the Russian government. This control allowed the Kremlin to use RT to advance its malign influence efforts during the 2016 U.S. presidential election.

{U} RT, formerly Russia Today, became an international news channel in 2005. It is available in more than 100 countries and has its largest viewer base in Europe. RT's stated goal is to "create news with an edge for viewers who want to question more" and produces content which appeals to skeptics of both the mainstream media and the establishment.<sup>29</sup>

{U} RT is subject to the control of the Russian government. The State Department describes it as a "State-owned international satellite news network broadcasting in multiple languages," which "spreads Russian propaganda tailored to international markets." The IC has identified RT as "the Kremlin's principal international propaganda outlet."<sup>31</sup>

[REDACTED]

UNCLASSIFIED  
WIKILEAKS DISSEMINATES HACKED  
MATERIAL



The Podesta Emails



DNC Email Archive  
The archive contains 18,222 emails and 8,024 attachments from the top of the US Democratic National Committee (DNC) as part of the 2016-2017 email series. The archive also contains the contents of several other emails at the 11/11/16/17.

Source: WikiLeaks website

UNCLASSIFIED

Finding #9: The Russian government used RT to advance its malign influence campaign during the 2016 U.S. presidential election.

[REDACTED]

(U) During the 2016 U.S. presidential elections, RT ran stories consistent with its past editorial bias against the West and suggested that the U.S. electoral process had been corrupted. RT was critical of presidential candidates from both major parties but was consistently critical of candidate Clinton through the election.

(U) RT's attacks against candidate Clinton were wide-ranging, including the insinuation that the Clinton family were criminals. RT also used advertising to promote material leaked by Russian intelligence, which targeted candidate Clinton and the Democratic Party.<sup>32</sup>

(U) Finding #10: Russian intelligence leveraged social media in an attempt to sow social discord and to undermine the U.S. electoral process.

[REDACTED]

(U) The Internet Research Agency (IRA), a Russia-based "troll farm" with ties to the Kremlin, was responsible for placing ads and maintaining both human operated and automated social media accounts for the malign influence campaign.<sup>34</sup>

(U) Twitter

## UNCLASSIFIED


### RT. SPONSORED TWEETS

 RT @ [REDACTED] Follow

5 times when the Clintons escaped federal charges



The couple seem immune to taxes and charges

 RT @ [REDACTED] Follow

#Podesta33: WikiLeaks releases latest batch of emails from Clinton campaign chair

#Podesta33: WIKILEAKS RELEASES LATEST BATCH OF EMAILS FROM... WIKILEAKS HAS PUBLISHED 33rd BATCH OF EMAILS FROM THE LATEST RELEASE OF HILARY CLINTON'S CAMPAIGN CHAIRMAN, JOHN PODESTA

Source: Twitter

## UNCLASSIFIED

(U) The 2016 Russian Twitter operation was coordinated with the use of other social media platforms to undermine the U.S. political process and divide Americans. Both presidential candidates (@HillaryClinton and @realDonaldTrump) were directly engaged through "retweets" and "likes," as were various politically active and divisive



factions of American society.

(U) In total, Twitter identified 36,746 automated Russian accounts which were responsible for producing 1.4 million unique tweets. In addition, Twitter identified 2,752 human-operated accounts. Some of these accounts masqueraded as the news media, activists, and political organizations. One Russian account, @TEN\_GOP, successfully impersonated the Tennessee Republican Party and grew to have significantly more followers than the legitimate Twitter account. After tweeting "We Love You, Mr. President" to Donald Trump, @TEN\_GOP received a thank you from the presidential candidate.<sup>35</sup>

(U) @TEN\_GOP and other Russian-linked accounts incited racial divisions, anti-Muslim, and anti-immigrant messages. They also promoted the dissemination of material stolen from U.S. political organizations by the GRU. The Russian cyber personas DC Leaks and Guccifer 2.0 used Twitter to promote stolen material, as did

WikiLeaks.

### {U} Facebook

(U) Russian operators also used Facebook Pages and advertising to advance their malign influence campaign. The company's internal review found the creation and promotion of 120 unique Facebook Pages by the IRA. These pages generated approximately 80,000 posts over the two year period preceding the election. These posts appeared in 29 million users' Facebook "News Feeds." When Facebook calculated the cumulative impact of "Shares" "Likes" and "Follows," the company estimated that 129 million people may have been served Russia's malign influence content.<sup>36</sup>

(U) According to Facebook, much of the Russian activity was designed to promote divisive social and political messages across the ideological spectrum and that advertising was intended to drive followership of divisive Pages. Four of the top impression-generating (or number of times an ad was on screen) advertisements were from fictitious personas claiming to represent organizations including "Back the Badge," "Blacktivist," "Being Patriotic," and "Woke Blacks."<sup>37</sup>

(U) Russian malign influence activities on Facebook were significant but they were not well-funded or large-scale operations relative to the overall scope of election-related activity on these platforms:

- Prior to the election, Russian operators used paid advertising on Facebook to reach 5 million Americans



# UNCLASSIFIED RUSSIAN ADS ON FACEBOOK


**Blacktivist**  
Say it loud, I'm Black and I'm proud!



**Blacktivist**  
Non-Governmental Organization (NGO)  
666,478 people like this

[Like Page](#)


**Woke Black**  
Stayin' Woke, building up our communities, uplifting our people. Join us!



**Woke Black**  
Community  
62,612 people like this

[Like Page](#)

**Bring Patriotic**  
Hillary Clinton is the daughter of... the people and the Communist... (sic)



**Bring Patriotic**  
23

[Like](#) [Comment](#)

**LGBT United**  
We speak for all fellow members of LGBT community across the nation



**LGBT United**  
Community  
141,573 people like this

[Like Page](#)

**Bring Patriotic**  
United We Stand! Welcome every patriot we can reach. Flag and Honor!



**Bring Patriotic**  
Community  
213,673 people like this

[Like Page](#)

**South United**  
Heritage not hate. The South is not an enemy.



**South United**  
Community  
135,641 people like this

[Like Page](#)

Source: Facebook

# UNCLASSIFIED



(based on impressions). At the same time, 33 trillion stories were served on Facebook Pages and users averaged 220 per day;

- 56% of the 11.4 million impressions associated with Russian Facebook advertising occurred after the election;
- 99% of Russian Facebook ads were funded with less than \$1,000 and 25% were never seen.

#### (U) Google

(U) Google also was used as a media platform for Russia's malign influence campaign. The company's investigation revealed that \$4,700 was spent promoting 18 channels and 1,100 YouTube videos (43 hours of content).

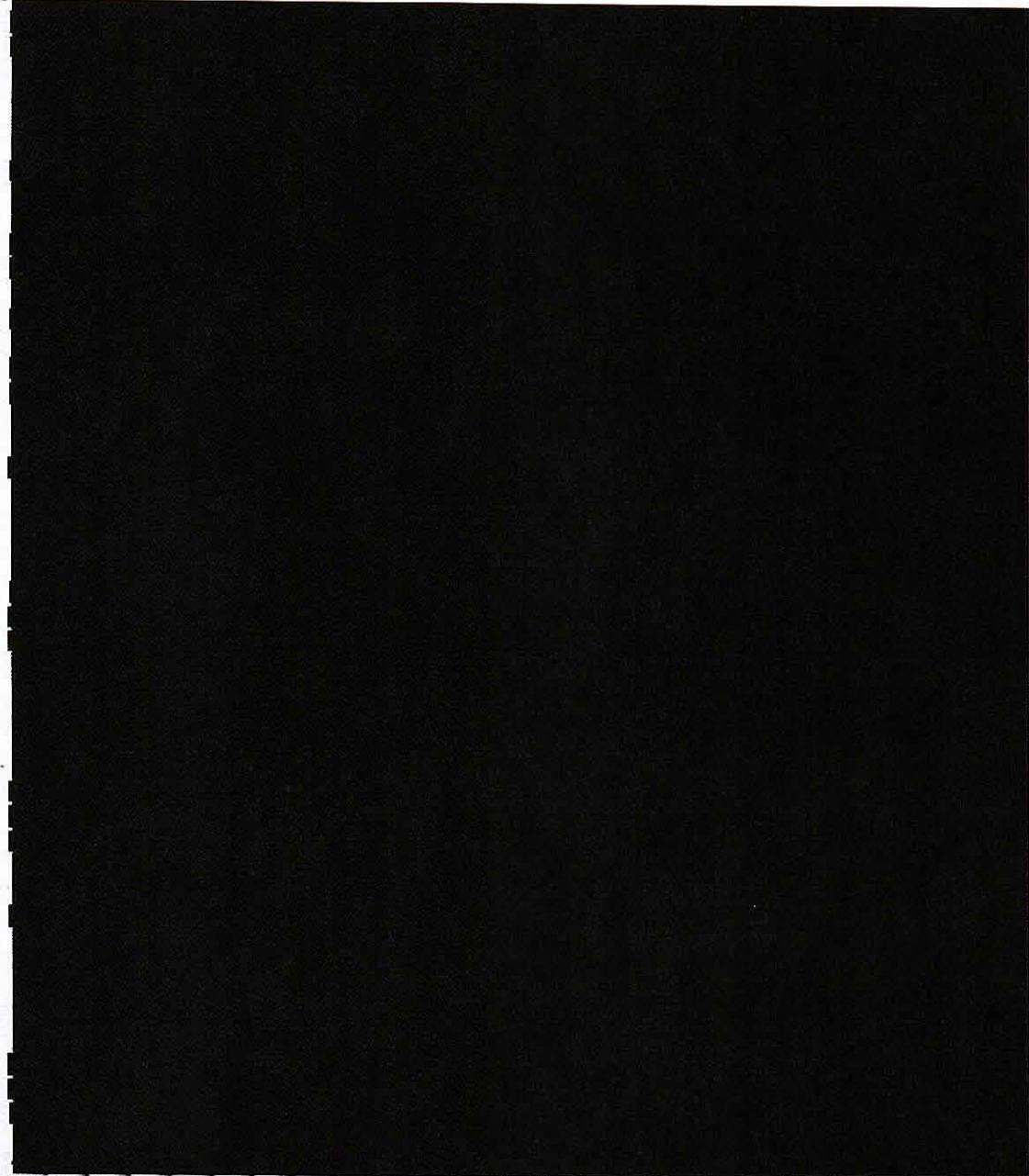
(U) Google describes this as a limited investment compared to overall election-related spending on Google. In total, 0.0002 percent of 2016 U.S. election advertising was found to be associated with Russian malign actors. In addition, Google noted that this Russian-funded media had very low view counts with only 3% reaching views of 5,000 or more.

(U) However, it should be noted that Google and its services have been and continue to be used by Russia for the dissemination of propaganda through RT. This is partly evidenced by RT's 2.2 million subscribers on YouTube, but also by the fact that RT propaganda is served to Americans by Google in the same manner as legitimate news sources.

(U) The Committee's investigation found that Twitter, Facebook, Google, and other social media platforms face significant challenges in their effort to identify and act on malign influence campaigns. Some of those challenges include:

- Sophisticated actors adapt to automated defenses;
- Social media does not require true name usage;
- Users can easily conceal their physical location with virtual private network connections;
- Social media seeks authentic exchanges and does not want to censor speech; and
- Social media platforms do not have access to intelligence reporting.

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- 14. [REDACTED] *Draft Incident Investigation Report for the Democratic National Committee*, Aug. 24, 2016; [REDACTED] *Draft Incident Investigation Report for the Democratic Congressional Campaign Committee*, Aug. 8, 2016.
- 15. [REDACTED] *Draft Incident Investigation Report for the Democratic National Committee*, Aug. 24, 2016; [REDACTED] *Draft Incident Investigation Report for the Democratic Congressional Campaign Committee*, Aug. 8, 2016; LexisNexis, *Discovery Services Fact Sheet: "How Many Pages in a Gigabyte?"* Dec. 23, 2017.



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## (U) Chapter 3 - America Reacts

*Key Question #3: What was the U.S. government response to these Russian active measures and what do we need to do to protect ourselves and our allies in the future?*

(U) As discussed in Chapter 2, the IC was at the tip of the spear of the U.S. government's response to Russia's nefarious cyber activities. While the NSA focused on detection and attribution, the FBI took the lead on victim notification, and the DHS was the primary agency responsible for providing assistance to victims and coordinating with state and local election officials.

(U) The federal government's ability to effectively respond to cyber threats depends on the IC's ability to pass information efficiently to the FBI at the lowest classification level possible. It is also dependent on the sufficiency of the interactions between the federal government and victim, whether that victim is a private organization such as the DNC, or a state or local government entity. Given the response to Russia's malign influence campaign, the Committee believes that FBI and DHS need to improve the processes used to engage with victims and stakeholders, who independently control their respective systems.

(U) The Executive Branch's policy response to Russia's active measures campaign included extensive deliberation, but not significant pre-election action. This is explained by two factors. First, the Executive Branch was justifiably concerned about raising an alarm so close to the election. Second, elections are not run by the federal government. State and local governments

are under no obligation to cooperate with federal officials, nor are political organizations that operate their own networks. In short, the developing intelligence on Russian active measures throughout 2016, the complexity of the political situation, and the lack of federal authority to act limited the options for aggressive pre-election actions. The Executive Branch took some actions, to include a joint DHS and ODNI public statement issued on October 7, 2016.

(U) [REDACTED], the CIA created a fusion cell on Russian election interference, which was comprised of analysts from the CIA, FBI, and NSA. This fusion cell produced a series of papers for the White House, directors of each of the three agencies, and the DNI. The cell operated through the election, standing down in mid-November.

(U) On December 6, 2016, President Obama directed CIA Director John Brennan to conduct a review of all intelligence relating to Russian involvement in the 2016 elections, and produce a single, comprehensive assessment. The result, an ICA titled *Assessing Russian Activities and Intentions in Recent US Elections*, was drafted by [REDACTED] CIA analysts [REDACTED] and was coordinated with the NSA and the FBI. While most of the analysis contained in the ICA held up to scrutiny, the Committee investigation found that ICA judgments on Putin's strategic ob-



jectives failed to meet most of the analytic standards set forth in the primary guiding document for IC analysis, Intelligence Community Directive (ICD) 203, *Analytic Standards*.

(U) Another component of the Executive Branch's response to the Russian government's efforts to interfere in the 2016 presidential campaign was FBI's opening of a counterintelligence investigation into "the nature of any links between individuals associated with the Trump campaign and the Russian government and whether there was any coordination between the campaign and Russia's efforts."<sup>1</sup> [REDACTED]

[REDACTED]

(U) The Committee collected facts related to the FBI's investigation through May 2017, until the appointment of Special Counsel Robert Mueller. The Committee did not examine events that occurred thereafter in order to avoid interfering with Special Counsel Mueller's ongoing investigation. While this chapter addresses the FBI's investigation, facts identified by the Committee relating to Russia contacts with Trump campaign associates, including the individuals under FBI investigation, are addressed in Chapter 4.

(U) Finding #11: The Federal Bureau of Investigation's notification to numerous Russian hacking victims was largely inadequate.

[REDACTED]

[REDACTED]

[REDACTED]

(U) The Committee is also concerned that many, perhaps even a majority, of Russia's known victims were never contacted by the FBI. In November 2017, the Associated Press (AP) reported that it contacted approximately 80 people out of a list of approximately 500 victims. Only two who were contacted by the AP "learned of the hacking attempts of their personal Gmail accounts from the FBI."<sup>8</sup> Although the Com-

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mittee cannot verify the accuracy of the AP's reporting, Clinton campaign senior policy advisor Jake Sullivan testified to the Committee that, consistent with the AP's analysis, his personal Gmail account was the subject of numerous hacking attempts, but that he never received any sort of notification from FBI.<sup>9</sup>

(U) Interaction with the DNC illustrated that even when the FBI expeditiously made contact with a victim, and conveyed relatively detailed information, the engagement failed to elicit the desired response—namely, the DNC's swift and serious attention. Director Comey testified that, in retrospect, “[w]e would have sent up a much larger flare. Yeah, we would have just kept banging and banging on the door, knowing what I know now. We made extensive efforts to notify. I might have walked over there myself, knowing what I know now.”<sup>10</sup> Similarly, former DHS Secretary Jeh Johnson reflected that, “You know, in retrospect, it would be easy for me to say that I should have brought a sleeping bag and camped out in front of the DNC in late summer, with the benefit of hindsight.”<sup>11</sup>

**(U) Finding #12: Communication between the Department of Homeland Security and state election officials was impeded by state officials' mistrust of federal government overreach coupled with an unprecedented level of Russian cyber intrusions.**

(U) DHS was the first agency to raise awareness to state election officials and the general public regarding cybersecurity concerns with the 2016 election infrastructure.

In August 2016, Secretary Johnson hosted a conference call with the National Association of Secretaries of State (NASS) and other Chief Election Officials. This call was followed in September and October 2016 by four statements encouraging state and local elections officials to request DHS's cybersecurity assistance.<sup>12</sup>

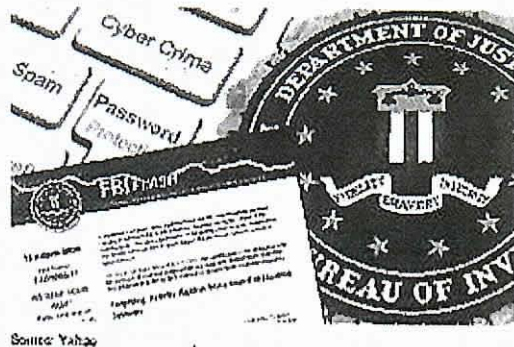
(U) During the August 2016 phone call, Secretary Johnson offered assistance to state officials in managing risks to voting systems in each state's jurisdiction. He also encouraged state officials to implement recommendations from the Department of Commerce's NIST and the U.S. EAC on securing election infrastructure. At that time, DHS was “not aware of any specific or credible cybersecurity threats relating to the upcoming general election systems,” and, on the call with state officials, “Secretary Johnson reiterated that DHS, the Election Assistance Commission, NIST, and DOJ are available to offer support and assistance in protecting against cyber attacks.”<sup>13</sup>

(U) On August 18, 2016, the FBI Cyber Division, in an effort to aid cyber security professionals and system administrators to guard against the persistent malicious actions of cyber criminals, issued an alert to states entitled, “Targeting Activity Against State Board of Election Systems.”<sup>14</sup> The bulletin warned that in late June 2016, an “unknown actor scanned a state's Board of Election website for vulnerabilities.”<sup>15</sup> The FBI recommended that all states search activity logs for any escalation attempts and suggested three recommendations as pre-

cautionary measures.<sup>16</sup>

## UNCLASSIFIED

### FBI WARNS STATES OF MALICIOUS CYBER ATTEMPTS



Source: Yahoo

## UNCLASSIFIED

(U) In a September 16, 2016 statement, Secretary Johnson announced “we have seen cyber intrusions involving political institutions and personal communications. We have also seen some efforts at cyber intrusions of voter registration data maintained in state election systems.”<sup>17</sup> Secretary Johnson encouraged election officials to reach out to DHS and also offered a variety of cybersecurity services to state and election officials, including:

- Scans on internet-facing systems, including reporting of vulnerabilities and mitigation recommendations;
- Risk and vulnerability assessments;
- Support from the National Cybersecurity and Communications Integration Center (NCCIC) to provide on-site assistance in identifying and remediating a cyber incident;
- Information sharing of relevant

cyber incidents, threats, and vulnerability information;

- Best practices for securing voter registration databases and addressing potential threats; and
- Field-based cybersecurity advisors to assist with planning and incident management.<sup>18</sup>

(U) Also on September 28, 2016, Speaker Ryan and Leaders McConnell, Pelosi, and Reid sent a letter to the National Association of State Election Directors, “urg[ing] states to take full advantage of the robust public and private sector resources available to them...” and informing them that “[i]n addition, the Department of Homeland Security stands ready to provide cybersecurity assistance to those states that choose to request it.”<sup>19</sup>

(U) On October 1, 2016, Secretary Johnson expressed gratitude for the letter from congressional leadership, and noted that there were a few cases in which malicious actors gained access to state voting-related systems. He also encouraged state and local election officials to seek DHS’ cybersecurity assistance. “So far, 21 states have contacted us about our services. We hope to see more,” Johnson said at the time.<sup>20</sup>

(U) DHS and ODNI released a joint public statement on October 7, 2016. DHS continued to urge state and local election officials to remain vigilant and seek its assistance with cybersecurity.<sup>21</sup> On October 10, 2016, Secretary Johnson provided an update on DHS election cybersecurity services



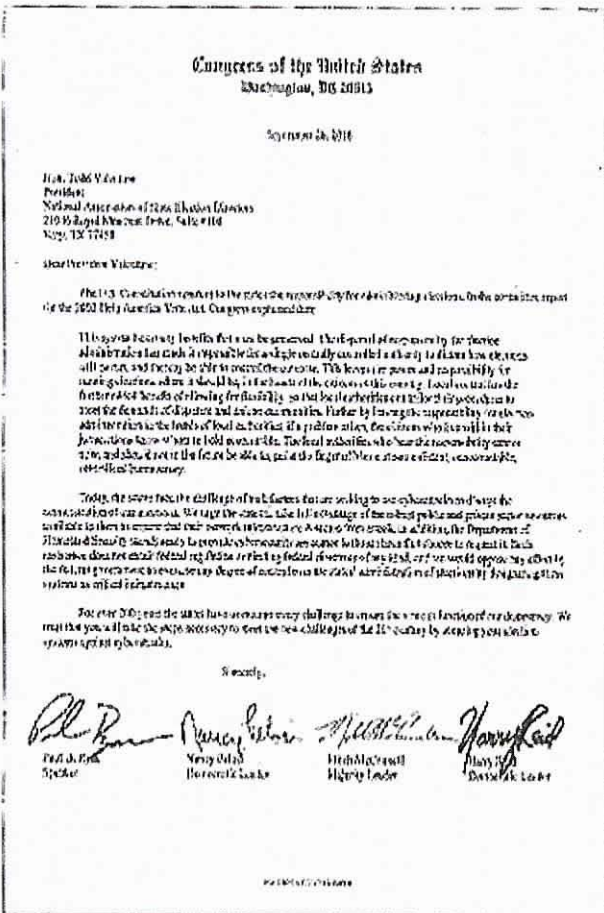
that "to date, 33 states . . . election agencies have approached the Department of Homeland Security about our Cybersecurity services." Johnson stressed that time was an important factor, with only 29 days until election; it could take up to two weeks for DHS to run scans and identify vulnerabilities, and an additional week for election officials to mitigate any vulnerabilities. This was the Secretary's final public attempt to encourage state and local election officials to reach out to DHS for assistance.<sup>22</sup>

(U) Challenges encountered by DHS included the unprecedented size and scope of Russian active measures, lack of public attention, and mistrust from state and local election officials—many of whom lacked access to classified information. Ultimately, 36 states took advantage of DHS's assistance, but many election officials were resistant to the idea of designating election infrastructure as critical infrastructure.<sup>23</sup> As former Secretary Johnson explained to the Committee, "one thing I discovered in this conversation, State election officials are very sensitive about what they perceived to be Federal intrusion into their process. I heard that firsthand over and over: This is our process. It's our sovereign responsibility. We're not interested in the Federal takeover."<sup>24</sup> A clear example of mistrust was a letter sent from Georgia's Secretary of State Brian Kemp to Secretary Johnson on December 8, 2016, which accused DHS of attempting to breach the Georgia Secretary of State's firewall. "I am writing to ask you whether DHS was aware of this attempt and, if so, why DHS was attempting to breach our firewall," Mr. Kemp stated.<sup>25</sup> Nevertheless, on January 6, 2017, DHS designated election infrastructure as a subsector of the existing Government Facilities critical infrastructure sector.<sup>26</sup>

(U) Finding #13: The Joint Office of the Director of National Intelligence and Department of Homeland Security public statement attributing election interference to Russia was ineffective.

(U) No major public actions were taken

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between October 7, 2016 and election day. It is unclear exactly when policymakers began focusing on Russian efforts to influence the election. As further discussed below, Attorney General Loretta Lynch recalls being briefed by FBI senior leadership [redacted] that the Counterintelligence Division had essentially uncovered some information or received information involving Russian intelligence operatives."<sup>27</sup>

(U) On May 18, 2016, speaking at the Bipartisan Policy Center in Washington, D.C., DNI Clapper stated, "we've [the IC] already had some indications of that [attempts of cyberattacks on presidential campaign websites] and the combination of DHS and FBI are doing what they can to educate both campaigns against potential cyber threats."<sup>28</sup>

(U) By summer 2016, CIA Director Brennan had become aware of information about "specific Russian efforts to influence the election,"<sup>29</sup> and the National Security Council (NSC) Principals Committee began discussing actions to take in response to what the Russians had been doing.<sup>30</sup> As Director Brennan continued to brief the Principals Committee on Russia, the CIA—as discussed previously in this report—"pulled together experts from the Central Intelligence Agency (CIA), NSA, and FB [redacted] to focus on the issue, drawing in multiple perspectives and subject matter experts with broad expertise to assess Russian attempts to interfere in the U.S. Presidential election."<sup>31</sup> [redacted]

[redacted]

While DHS was providing assistance to states to conduct cyber reviews of their electoral mechanisms, the Principals Committee was awaiting "with urgency whatever the Intelligence Community could provide" that "would illuminate [their] understanding of [Russian interest in the election]."<sup>33</sup>

### UNCLASSIFIED

## IC CONFIDENT OF RUSSIAN PRE-ELECTION HACKING

Joint Statement from the Department Of Homeland Security and Office of the Director of National Intelligence on Election Security

Released Under Executive Order 13526



For more information:  
DHS Press Office  
Contact: 202-680-0911

The U.S. Intelligence Community (IC) is confident that the Russian Government engaged the recent compromise of U.S. mail from 16 states and institutions, including from U.S. political organizations. The reports of disclosure of alleged hacked e-mails on this site (IC.gov) and other publicly available information are consistent with the methods and techniques of Russian intelligence operations. These reports and disclosures are classified in accordance with the U.S. security interest. Such activity is not from a foreign source. The information was obtained from the IC and is not to be used to influence public opinion. Without prejudice, based on the public and sensitive nature of this information, the IC is confident that these reports are not intended to be used for any other purpose.

Source: DHS

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(U) On August 4, 2016, Director Brennan, in a scheduled call with Alexander Bortnikov, the head of Russia's Federal Security Bureau (FSB), became the first U.S. official to raise the issue of Moscow's meddling.<sup>34</sup> Brennan told Bortnikov that a campaign against the United States would certainly "backfire" and that all Americans "cherished their ability to elect their own leaders without outside interference or disruption."<sup>35</sup> Additionally, former Attorney General



Loretta Lynch testified that the decision was made to have “the President of the United States speak directly to President Putin, confront him with knowledge that we were aware of his efforts on a variety of fronts and that it was unacceptable, and that that discussion took place during a pull-aside . . . at one of the G- either 7 or 20 meetings in the early fall.”<sup>36</sup> Former National Security Advisor Susan Rice corroborated in testimony before the Committee that President Obama and President Putin discussed Russian meddling in the 2016 election at the end of bilateral discussions during the G20 Summit in China in early September 2016.<sup>37</sup>

(U) The most significant pre-election public action was the October 7, 2016, joint DHS and ODNI statement, indicating in part that the IC “is confident that the Russian Government directed the recent compromises of e-mails from US persons and institutions, including from the US political organizations.”<sup>38</sup> The IC assessed that the disclosures of alleged hacks on websites such as DCLeaks.com, Wikileaks, and by Guccifer 2.0 were consistent with Russian methods and motivations. According to Secretary Johnson, the statement “did not get the public attention that it should have, frankly, because the same day the press was focused on the release of the ‘Access Hollywood’ video. That’s what made our news below-the-fold news that day.”<sup>39</sup> Additionally, the public dissemination of Podesta’s emails commenced on October 7.<sup>40</sup>

(U) In considering a public response, the Executive Branch was in a unique posi-

tion—it was dealing with extremely sensitive intelligence and had to consider the impacts of jeopardizing sources and methods when declassifying intelligence.<sup>41</sup> Furthermore, in the midst of an ongoing campaign, it had to carefully consider any public statements or actions, as it did not want to be perceived as taking sides and politicizing the election—or, according to former Secretary Johnson fueling claims that the election was “rigged.”<sup>42</sup>

**(U) Finding #14: The Executive Branch’s post-election response was insufficient.**

(U) In the weeks following candidate Trump’s victory over candidate Clinton in the 2016 U.S. presidential election, Executive Branch officials began brainstorming options for punitive actions against Russian activities. On December 6, 2016, President Obama ordered Director Brennan to conduct a review of all intelligence relating to Russia and the 2016 elections, including a comprehensive assessment that would eventually be made public.<sup>43</sup>

(U) On December 29, 2016, among other measures, President Obama announced the expulsion of 35 Russian intelligence operatives under diplomatic cover, the closure of Russian compounds in Maryland and New York, sanctions against nine entities and individuals associated with Russian intelligence services, and the Treasury Department’s designation of two Russian individuals for “using cyber-enabled means to cause misappropriation of funds and personal identifying information.”<sup>44</sup> Also on December 29, the FBI and DHS released a Joint

Analysis Report of declassified technical information on Russian cyber activity to help network defenders identify and disrupt Russian malicious cyber activity.

(U) On January 6, 2017, DHS designated election infrastructure as a subsector of the existing government facilities critical infrastructure sector.<sup>45</sup> The same day, a declassified version of the ICA was released to the public.<sup>46</sup>

**(U) Finding #15: The majority of the Intelligence Community Assessment judgments on Russia's election activities employed proper analytic tradecraft.**

(U) The IC produced three versions of the ICA: (1) a highly compartmented document, which included all sources and references to the underlying intelligence, (2) a Top Secret version that omitted details from compartmented reports, and (3) an unclassified version. The full ICA was briefed to President Obama on January 5, 2017 and President-elect Trump on January 6, 2017. The unclassified version of the ICA was also released to the public on January 6, 2017. While the level of detail varies greatly among the three versions, the final conclusions and key judgments of each are the same.

(U) The Committee determined that the majority of the ICA judgments on Russia's election activities employed proper analytic tradecraft. These were mostly well reasoned, consistent with observed Russian actions, properly documented, and—particularly on the cyber intrusion sec-

tions—employed appropriate caveats on sources and identified assumptions. Some of the key ICA judgments that the Committee found credible because they were based on proper analytic tradecraft are summarized below:

- (U) Russian efforts to influence the 2016 U.S. presidential election represent the most recent expression of Moscow's longstanding desire to undermine the U.S.-led liberal democratic order.
- (U) Russian intelligence services, acting on the orders of Russian President Vladimir Putin, launched cyber and conventional influence operations—notably by leaking politically sensitive emails obtained from computer intrusions—during the 2016 election.

- [REDACTED]

**(U) Finding #16: The Intelligence Community Assessment judgments on Putin's strategic intentions did not employ proper analytic tradecraft.**

(U) While the Committee found that most ICA analysis held-up to scrutiny, the investigation also identified significant intelligence tradecraft failings that undermine confidence in the ICA judgments regarding Russian President Vladimir Putin's strategic objectives for disrupting the U.S. election. Those judgments failed to meet longstand-



ing standards set forth in the primary guiding document for IC analysis, ICD 203, *Analytic Standards* including:

- (U) "Properly describe quality and credibility of underlying sources."
- (U) "Properly express and explain uncertainties associated with major analytic judgments."
- (U) "Incorporate analysis of alternatives ... [particularly] when major judgments must contend with significant uncertainties or ... high-impact results."
- (U) Base confidence assessments on "the quantity and quality of source material."
- (U) "Be informed by all relevant information available."
- (U) "Be independent of political considerations."<sup>47</sup>

(U) The Committee emphasizes that the tradecraft failures identified in this investigation should not be broadly ascribed to CIA, NSA or FBI analysis, as the shortcomings were confined to select judgments—specifically, a key assessment on Putin’s strategic intentions—and not to the entire ICA product. Moreover, the ICA was written [REDACTED] CIA analysts and their draft was subjected to an unusually constrained review and coordination process, which deviated from established CIA practice. The Committee is not aware of these problems being prevalent in other CIA, FBI, or NSA products.

(C/NF)

(U) The Committee’s findings on ICA tradecraft focused on the use of sensitive, [REDACTED] intelligence [REDACTED] cited by the ICA. This presented a significant challenge for classification downgrade. The Committee worked with intelligence officers from the agencies who own the raw reporting cited in the ICA to downgrade the classification of compartmented findings [REDACTED]

(U) The Committee is planning additional action regarding this information in early spring 2018.

**(U) Finding #17: The Federal Bureau of Investigation opened an enterprise counter-intelligence investigation into the Trump campaign after receiving information related to Trump campaign foreign policy advisor George Papadopoulos.**

(U) In addition to the other Executive Branch responses described above, in late July 2016, the FBI opened an enterprise CI investigation into the Trump campaign following the receipt of derogatory information about foreign policy advisor George Papadopoulos. The purpose of an enterprise CI investigation is to obtain information of intelligence value, "most times . . . not with any kind of intent or objective of reaching a criminal charge."<sup>48</sup> FBI’s enterprise CI investigation into the Trump campaign was led by a small team at FBI headquarters.<sup>49</sup> The timeline of this investigation can be found on the next page.

(U) The derogatory information resulted from the relationship between Papadopoulos and [REDACTED]. [REDACTED] was anonymized in Papadopoulos' charging document as "the Professor".<sup>50</sup> Based on the charging documents, the two first met in Italy on or about March 14, 2016, and "Papadopoulos was interested in [REDACTED] because . . . [he] claimed to have substantial connections with Russian government officials, which Papadopoulos thought could increase his importance as a policy advisor . . ."<sup>51</sup> [REDACTED] was interested in Papadopoulos because of his role in the Trump campaign.<sup>52</sup> The first meeting with [REDACTED] occurred approximately one week prior to candidate Trump publicly naming Papadopoulos as a foreign policy advisor.<sup>53</sup>

(U) In late March, Papadopoulos had a follow-on meeting with [REDACTED] London, where [REDACTED] introduced Papadopoulos to a woman who claimed to be a relative of President Putin "with connections to senior Russian government officials."<sup>54</sup> Papadopoulos informed the campaign about this meeting, with a campaign supervisor proclaiming that Papadopoulos conducted "great work."<sup>55</sup> Papadopoulos continued to correspond with [REDACTED] who connected Papadopoulos with an individual [REDACTED] claiming to have connections with the Russian Ministry of Foreign Affairs.<sup>56</sup> Papadopoulos communicated with this Russian contact throughout the summer of 2016, attempting to arrange meetings between

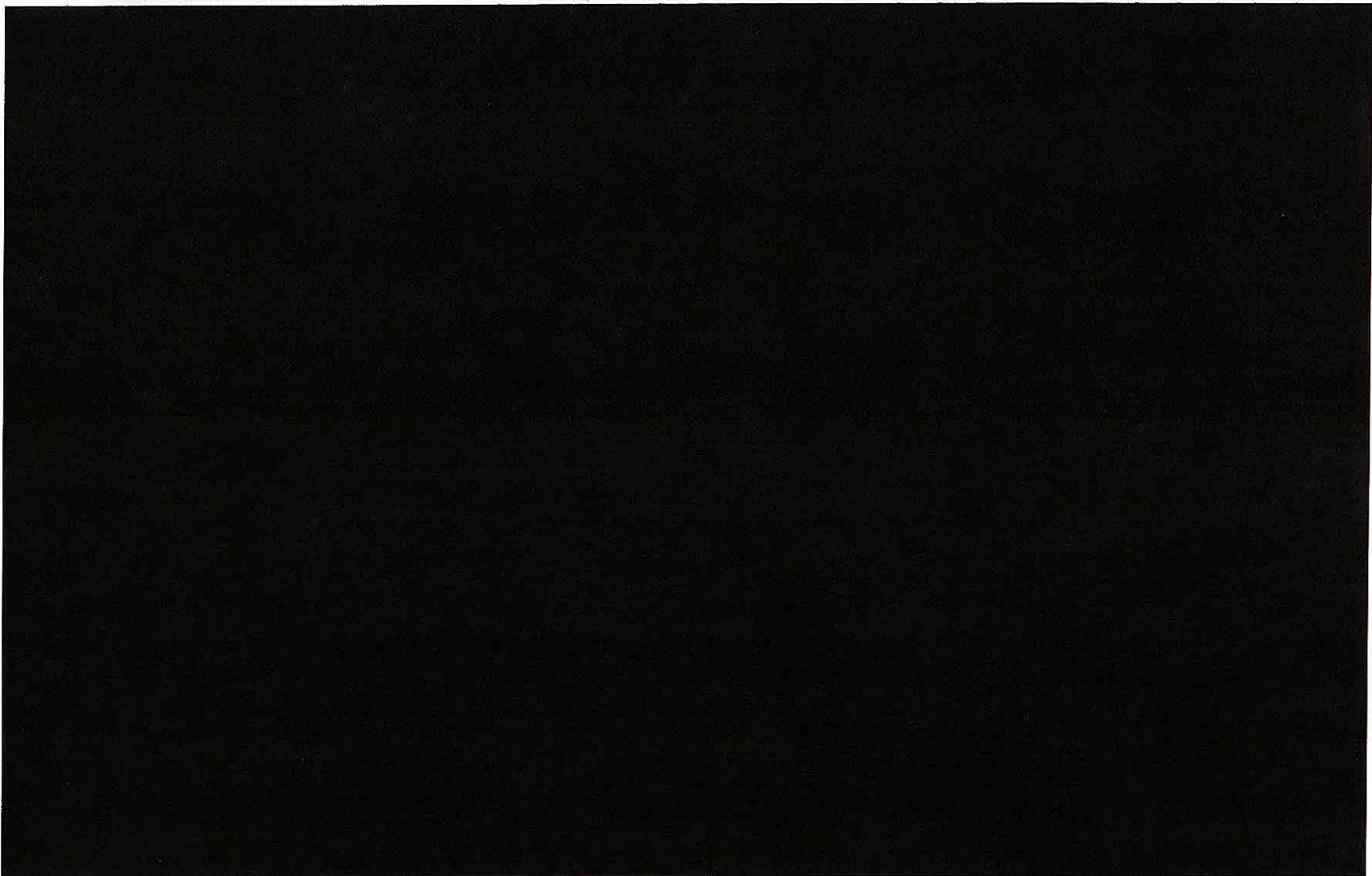
the Russian government and campaign officials.<sup>57</sup>

(U) On April 26, 2016, over breakfast at a London hotel, [REDACTED] told Papadopoulos "that he had just returned from a trip to Moscow where he had met with high-level Russian government officials."<sup>58</sup> [REDACTED] further indicated he had learned that the Russians had obtained 'dirt' on candidate Clinton. Specifically that "the Russians had emails of Clinton," "they have thousands of emails."<sup>59</sup> However, the Committee was unable to discern if the referenced emails were the missing emails from candidate Clinton's server while she was Secretary of State or the emails that were stolen from the DNC.

[REDACTED]



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~~TOP SECRET// [REDACTED] (NOFORN) [REDACTED]~~

[REDACTED]

counterintelligence investigation into the Trump campaign, the Federal Bureau of Investigation opened an individual counterintelligence investigation into Carter Page.

(U) By the time Page was announced as a Trump campaign foreign policy advisor on March 21, 2016, he was already a subject of interest for the FBI. Page previously lived and worked in Russia and maintained contact with known Russian intelligence officers, including [REDACTED]—who was described in a 2015 court filing as an SVR officer posted to the Russian Mission to the United Nations. Page previously worked with the FBI in the prosecution of [REDACTED] and other Russian intelligence officials.<sup>68</sup>

[REDACTED]

(U) Finding #18: As part of the enterprise



[REDACTED]

(U) Finding #19: The dossier compiled by Christopher Steele formed an essential part of an application to the Foreign Intelligence Surveillance Court to obtain electronic surveillance on Carter Page.

(U) In late October 2016, DOJ sought from the Foreign Intelligence Surveillance Court (FISC) an order authorizing [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] and the Committee did not find—any evidence of any cooperation or conspiracy between Page and Papadopoulos. Additionally, the so-called “dossier” compiled by Christopher Steele formed a substantial and essential [REDACTED] (For additional information about the Steele dossier, see Chapter 4.)

(U) [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

(U) Finding #20: Special Counsel Robert Mueller indicted Paul Manafort on several charges, none of which relate to allega-

tions of collusion, coordination, or conspiracy between the Trump campaign and the Russian government.

(U) Paul Manafort joined the Trump campaign on March 29, 2016, and was elevated to campaign chairman on May 19, 2016. Manafort became campaign manager after the campaign removed [REDACTED] on June 20, 2016. The Committee agreed to avoid, to the greatest extent practical, any potential interference with Special Counsel Mueller’s investigation. Given the ongoing litigation concerns associated with Manafort, the Committee will only discuss information in this report that has been publicly disseminated by the Special Counsel’s office. Although the Committee would have appreciated the opportunity to interview Manafort regarding his role on the Trump campaign, the Committee is limited in this regard due to Special Counsel Mueller’s investigation and indictments.

(U) On October 27, 2017, a grand jury indicted Manafort and his associate, fellow lobbyist and deputy Trump campaign manager Rick Gates, for various financial crimes, as well as making false statements.<sup>74</sup> All of the financial crimes took place prior to Manafort serving as Trump campaign manager, and nothing in the indictment relates to any potential collusion, conspiracy, or conspiracy between the Trump campaign and the Russian government.

(U) On February 22, 2017, a grand jury issued a superseding indictment for Manafort and Rick Gates, which included additional allegations of financial crimes, includ-

ing bank fraud. Similar to the October 27, 2017, indictment, the superseding indictment does not include any reference to the Trump campaign, including no mention of collusion, coordination, or conspiracy between the Trump campaign and the Russian government.

(U) While the Committee will not go into further detail on the charges against Manafort due to ongoing litigation concerns, Special Counsel Mueller's indictment of Manafort illustrates the necessity for U.S. presidential campaigns to better investigate individuals who serve in senior positions within the campaign. If the accusations against Manafort are true, he should have never served as a senior official with a campaign for the U.S. presidency, much less campaign chairman or manager.

[REDACTED]

(U) General Flynn began advising the Trump campaign on or before February 2016 and subsequently became a central figure on the campaign trail. He was the former Director of DIA and was one of candidate Trump's closest advisors on national security issues. Following the election, and during the transition period, he was designated as the future National Security Advisor to the President. General Flynn served as President Trump's National Security Advisor for less than a month, resigning on February 13, 2017. According to FBI Director

Comey, General Flynn's resignation occurred after it came to light that he had misled Vice President-Elect Pence about his contacts with Russian Ambassador Sergey Kislyak during the transition period.<sup>75</sup>

[REDACTED]

(U) Prior to his trip to Moscow, General Flynn and his son met with Russian Ambassador Kislyak at the ambassador's private residence in Washington, D.C. on December 2, 2015. The meeting was later described by General's Flynn's son in an email to the Russian embassy as "very productive."<sup>79</sup> The email indicates that the meeting was arranged at the request of General Flynn or his son.<sup>80</sup> The Committee was unable to interview General Flynn and his son because of their written intent to assert their Fifth Amendment rights against self-incrimination.

[REDACTED]



[REDACTED]

[REDACTED]

**(U) Finding #22: General Flynn pleaded guilty to making a false statement to the Federal Bureau of Investigation regarding his December 2016 conversations with Ambassador Kislyak, even though the Federal Bureau of Investigation agents did not detect any deception during Flynn's interview.**

**(U) According to the charging documents, on or about December 22, 2016, "a very senior member of the Presidential Transition Team" (PTT) directed General Flynn to contact representatives of foreign governments.<sup>84</sup> This request concerned a resolution about Israeli settlements submitted by Egypt to the U.N. Security Council around December 21, 2016.<sup>85</sup> Later, on December 22, General Flynn contacted Ambassador Kislyak and "requested that Russia**

voté against or delay the resolution."<sup>86</sup> The next day, Ambassador Kislyak informed General Flynn that Russia would not comply with the request.<sup>87</sup>

**(U) On December 29, 2016, President Obama "authorized a number of actions"—including new sanctions—"in response to the Russian government's aggressive harassment of U.S. officials and cyber operations aimed at the U.S. election in 2016."<sup>88</sup> Following this announcement, the charging documents state that General Flynn discussed "what, if anything, to communicate to the Russian Ambassador about the U.S. sanctions," with a senior PTT official.<sup>89</sup>**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(U) Finding #23: Executive Branch officials did not notify the Trump campaign that members of the campaign were assessed to be potential counterintelligence concerns.

(U) The Committee found that the Trump campaign was not notified that members of the campaign were potential counterintelligence concerns. This lack of notification meant that the campaign was unable to address the problems with each campaign member and was ignorant about the potential national security concerns. AG Lynch recalled that, during her first meeting with Director Comey and McCabe about Page, "one of the possibilities the three of us discussed was whether or not to provide what is called a defensive briefing to the campaign, wherein there would be a meeting with a senior person with the Trump campaign to alert them to the fact that . . . there may be efforts to compromise someone with their campaign."<sup>102</sup>

(U) Such a defensive briefing would not have been unusual. According to Lynch, "[i]t is not an uncommon thing to do . . . in intelligence matters."<sup>103</sup> However, the FBI did not provide any such warning about Page, although it was again discussed by the administration's most senior policymakers after Director Comey briefed the National Security Council Principals about the Page information in "late spring" 2016.<sup>104</sup>



(U) The Trump campaign did not receive a general counterintelligence briefing until August 2016, and even then, it was never specifically notified about Papadopoulos, Page, Manafort, or General Flynn's Russia ties.<sup>105</sup> Further, the counterintelligence briefing provided to Trump and his top advisors did not identify any individuals by name, but rather focused on the general threat posed by adversaries, including Russia and China.

(U) Finding #24: The February 2018 indictment of the Internet Research Agency and Russian nationals exposes Russian actors and their intent to spread distrust towards the candidates and the political system in general.

(U) In mid-February 2018, the Department of Justice charged 12 Russians and the Russia-based Internet Research Agency LLC with interference operations targeting the United States political and electoral processes. The indictment claims that the stated goal of the Russian actors was to "spread distrust towards the candidates and the political system in general" and provides insight into the methods used by the IRA, such as the use of stolen identities, travel to the U.S. for the purpose of collecting intelligence, and the procurement of computer infrastructure to hide the Russian origin of activities.<sup>106</sup> The indictment by Special Counsel Mueller contains assertions that are consistent with information examined by the Committee during its investigation. Specifically, according to an accompanying DOJ announcement, "There is no allegation in

the indictment that any American was a knowing participant in the alleged unlawful activity. There is no allegation in the indictment that the charged conduct altered the outcome of the 2016 election."<sup>107</sup>

1. HPSCI, "Russian Active Measures Investigation", Mar. 20, 2017.
2. HPSCI, "Russian Active Measures Investigation", Mar. 20, 2017.
3. [REDACTED]
4. [REDACTED]
5. [REDACTED]
6. [REDACTED]
7. [REDACTED]
8. [REDACTED]
9. HPSCI, Executive Session Interview of Jake Sullivan, Dec. 21, 2017.
10. HPSCI, "Russian Active Measures Investigation", Mar. 20, 2017.
11. HPSCI, "Russia Investigative Task Force Hearing with Former Secretary of Homeland Security Jeh Johnson," June 21, 2017.
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13. DHS, *Readout of Secretary Johnson's Call With State Election Officials About Cybersecurity*, <https://www.dhs.gov/news/2016/08/15/readout-secretary-johnsons-call-state-election-officials-cybersecurity>, Aug. 15, 2016.
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15. FBI, *FBI Flash: Targeting Activity Against State Board of Election Systems*, Aug. 18, 2016.
16. FBI, *FBI Flash: Targeting Activity Against State Board of Election Systems*, Aug. 18, 2016.
17. DHS, *Statement by Secretary Johnson Concerning the Cybersecurity of the Nation's Election Systems*, <http://www.dhs.gov/news/2016/09/16/statement-secretary-johnson-concerning-cybersecurity-nation-s-election-systems>, Sept. 16, 2016.
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24. HPSCI, "Russia Investigative Task Force Hearing with Former Secretary of Homeland Security Jeh Johnson," June 21, 2017.
25. The Office of Secretary of State of Georgia, *Letter to Secretary Jeh Johnson*, Dec. 8, 2016.
26. DHS, *Statement by Secretary Jeh Johnson on the Designation of Election Infrastructure as a Critical Infrastructure Subsector*, <https://www.dhs.gov/news/2017/01/06/statement-secretary-johnson-designation-election-infrastructure-critical>, Jan. 6, 2017.
27. HPSCI, Executive Session Interview of Loretta Lynch, Oct. 20, 2017.
28. "The Global Digital Challenge Initiative – Keynote Address," Bipartisan Policy Center video, 38:29, <http://bcove.me/zff9r4pq>, May 18, 2016.
29. HPSCI, Executive Session Interview of Loretta Lynch, Oct. 20, 2017.
30. HPSCI, Executive Session Interview of Loretta Lynch, Oct. 20, 2017; The Principals Committee, convened and chaired by the National Security Advisor, is a Cabinet level interagency forum for considering policy issues that affect the national security interests of the United States. Regular attendees of the Principals Committee include: the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Attorney General, the Secretary of Energy, the Chief of Staff to the President, the Director of National Intelligence, the Chairman of the Joint Chiefs of Staff, the Director of the Central Intelligence Agency, the National Security Advisor, the Homeland Security Advisor, and the Representative of the United States to the United Nations.
31. HPSCI, "Russian Active Measures During the 2016 Election Campaign," May 23, 2017.
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representatives, the Majority and Minority Leaders of the U.S. Senate, and the Chairman and Vice Chairman of the Select Committee on Intelligence of the U.S. Senate.

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- 35. HPSCI, "Russian Active Measures During the 2016 Election Campaign," May 23, 2017.
- 36. HPSCI, Executive Session Interview of Loretta Lynch, Oct. 20, 2017.
- 37. HPSCI, Executive Session Interview of Susan Rice, Sep. 8, 2017.
- 38. DHS, *Joint Statement from the Department of Homeland Security and Office of the Director of National Intelligence on Election Security*, <https://www.dhs.gov/news/2016/10/07/joint-statement-department-homeland-security-and-office-director-national>, Oct. 7, 2016.
- 39. HPSCI, "Russia Investigative Task Force Hearing with Former Secretary of Homeland Security Jeh Johnson," June 21, 2017.
- 40. HPSCI, Executive Session Interview of John Podesta, June 27, 2017.
- 41. HPSCI, "Russia Investigative Task Force Hearing with Former Secretary of Homeland Security Jeh Johnson," June 21, 2017.
- 42. HPSCI, "Russia Investigative Task Force Hearing with Former Secretary of Homeland Security Jeh Johnson," June 21, 2017.
- 43. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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- 49. HPSCI, Executive Session Interview of Andrew McCabe, Dec. 19, 2017.
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- 53. Post Opinions Staff, "A transcript of Donald Trump's meeting with The Washington Post editorial board," *Washington Post*, Mar. 21, 2016.
- 54. U.S. v. George Papadopoulos (1:17-cr-182, District of Columbia).
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- 56. U.S. v. George Papadopoulos (1:17-cr-182, District of Columbia); Email from George Papadopoulos to [REDACTED], [REDACTED] Fwd: (Russian Outreach)," May 4, 2016 [DJTF00011405].
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- 60. [REDACTED]

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[REDACTED]

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74. U.S. v. Paul J. Manafort, Jr. and Richard W. Gates III (1:17-cr-201, District of Columbia).  
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- 103. HPSCI, Executive Session Interview of Loretta Lynch, Oct. 20, 2017.
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- 105. HPSCI, Staff meeting with Bill Priestap, FBI Assistant Director, Head of the Counterintelligence Division, Oct 31, 2017.
- 106. U.S. v. Internet Research Agency, et al. (1:18-cr-32, District of Columbia).
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## **(U) Chapter 4 - Campaign Links to Russia**

*Key Question #2: Did the Russian active measures include links between Russia and individuals associated with political campaigns or any other U.S. persons?*

(U) A key focus of the Committee's investigation was whether Russian active measures directed at the 2016 U.S. election (see Chapter 3) "include[d] links between Russia and individuals associated with political campaigns or any other U.S. persons."<sup>1</sup> The first part of this chapter reflects the Committee's answer to that question with respect to the Trump campaign. The second part of this chapter addresses the Clinton campaign.

(U) The "links" between individuals associated with the campaigns and Russia have often been publicly described as inquiries into whether there was "collusion" between individuals associated with either candidate Trump or Clinton and the Russian government. One challenge with describing potential "links" with the Russian government as "collusion" is that the term "collusion" may mean different things to different people, as exemplified in witness testimony before the Committee. Particularly in light of Special Counsel Robert Mueller's continuing criminal investigation—which has a different focus and the Committee agreed not to impede—it is important to note that the term "collusion" does not, by itself, describe a criminal offense. Unlike the closely-related concept of "conspiracy," there is no applicable statute that sets out the elements of "collusion." "Collusion" is

therefore an ambiguous term, not a precise legal one.

### Trump Campaign

(U) The Committee cast a wide net, generally asking each witnesses whether they had evidence of any "collusion," "coordination," or "conspiracy" between Russia and candidate Trump or any of his associates. The Committee also investigated potential Trump campaign links with Russia, focusing on credible allegations within the scope of the agreed-upon parameters. Matters investigated by the Committee include allegations pertaining to:

- candidate Trump's business dealings;
- the campaign's policy positions and personnel;
- involvement in or knowledge about the publication of stolen emails; and
- meetings with Russians.

(U) In the course of witness interviews, reviews of document productions, and investigative efforts extending well over a year, the Committee did not find any evidence of collusion, conspiracy, or coordination between the Trump campaign and the Russians. While the Committee found that several of the contacts between Trump associates and Russians—or their proxies, including WikiLeaks—were ill-



advised, the Committee did not determine that Trump or anyone associated with him assisted Russia's active measures campaign.

**DIRECT EVIDENCE OF COLLUSION, CONSPIRACY, OR COORDINATION**

**(U) Finding #25: When asked directly, none of the interviewed witnesses provided evidence of collusion, coordination, or conspiracy between the Trump campaign and the Russian government.**

(U) The Committee interviewed high-ranking current and former government officials, along with numerous Trump campaign members, Trump administration officials, and other Trump associates. None of the witnesses testified they had evidence of collusion between the campaign and anyone affiliated with the Russian government. In most of the Committee's witness interviews, the witness was asked directly for any evidence of "collusion, coordination or conspiracy" with any element of the Russian government to influence the outcome of the 2016 U.S. presidential election. This question was asked with respect to the witness' own actions; the actions of candidate Trump; the actions of anyone officially affiliated with the campaign; or the actions of anyone unofficially affiliated with the campaign, defined as including "wannabes,"<sup>2</sup> "hangers-on,"<sup>3</sup> and "people who represented themselves as being part of the campaign."<sup>4</sup> Each witness was given wide latitude in answering these questions, but none produced any evidence. For example, Trump's son-in-law and senior advisor Jared

Kushner stated categorically that the Trump campaign "did not collude, cooperate, whatever other 'C' words you used, with any foreign governments."<sup>5</sup>

(U) Several former government officials testified that, even though there was no evidence of collusion between Trump campaign associates and the Russian government, they were aware of contacts and interactions of potential concern. For example, former CIA Director John Brennan stated in open session, "I encountered and am aware of information and intelligence that revealed contacts and interactions between Russian officials and U.S. persons involved in the Trump campaign that I was concerned about because of known Russian efforts to suborn such individuals, and it raised questions in my mind. . . whether or not the Russians were able to gain the cooperation of those individuals."<sup>6</sup> Brennan continued, however, "I don't know whether or not such collusion . . . existed."<sup>7</sup>

(U) Similarly, former DNI James Clapper stated that he was aware of the same information to which Brennan referred, "that my dashboard warning lights were on just because of that."<sup>8</sup> However, reaffirming his prior public statements, he told the Committee that, "I didn't have any evidence—I don't care how you want to caveat it—of collusion."<sup>9</sup>

**BUSINESS DEALINGS**

**(U) Finding #26: The Committee found no evidence that President Trump's pre-campaign business dealings formed the**

**basis for collusion during the campaign.**

(U) As a political outsider who had never run for office, Donald Trump did not have a political record to analyze, criticize, or rely upon during the 2016 campaign. Therefore, his long and varied business career garnered significant attention from supporters, opponents, and opposition researchers alike. Eventually, as described in the second half of this chapter, candidate Trump's pre-campaign business dealings with Russians became a subject of significant opposition research.

(U) As noted above, the Committee's investigation was focused on the time period of the 2016 election. Trump's pre-campaign dealings were within scope only to the extent they formed the basis for, or were otherwise linked to, improper conduct during the elections. As one of the Committee Members said during an interview, the key question was if any business "relationships, whether directly or indirectly or just by some other means, had the effect that there was a preexisting relationship with Russia, and that that preexisting relationship may have in some way inspired the Trump campaign to have a contact with the Russian Government to coordinate, collude, or conspire to help them win the election over Hillary Clinton."<sup>10</sup>

(U) The Committee focused only on any potential financial improprieties relating to the election. In particular, the Committee examined the Miss Universe pageant in Moscow in 2013; the Trump Organization's

unsuccessful efforts to build a Trump Tower in Moscow in late 2015 and early 2016; and other assorted claims of Russian financial ties to the Trump family. The Committee did not uncover any evidence that any of those matters formed the basis for collusion, coordination, or conspiracy between Trump or his associates and the Russian government during the 2016 U.S. presidential election.

(U) **Miss Universe 2013:** Before he was a political candidate, Trump owned the Miss Universe Organization. The decision to hold the 2013 Miss Universe annual pageant in Moscow was a unanimous one made by representatives of the Trump Organization and NBC—the event's broadcaster—with approval of the president of the Miss Universe organization.<sup>11</sup> Michael Cohen, an attorney and former Executive Vice President of the Trump Organization, told the Committee 50 percent of the fees earned for the pageant went to NBC.<sup>12</sup> "[O]f the \$12.2 million in foreign income that [the Miss Universe pageant] earned [in 2013], a substantial portion of it was attributable to the Moscow event."<sup>13</sup>

(U) The 2013 pageant's hosts were Aras and Emin Agalarov, father and son of a wealthy Azerbaijani-Russian family in Moscow. The Agalarovs' company, Crocus Group, owned the venue where the pageant was held.<sup>14</sup> The Agalarovs and Crocus Group wanted to host the event in Moscow because they wanted to have the pageant in their company's building, Crocus City Hall, and it was a way to promote Emin's music



career, who performed at the pageant.<sup>15</sup> The Agalarovs have connections with senior individuals and elements of the Russian government,<sup>16</sup> and Aras received the Order of Honor from Vladimir Putin.<sup>17</sup> The decision to hold the pageant in Moscow originated from an “off-the-cuff” discussion between Emin Agalarov, his manager, and a representative from the Miss Universe pageant.<sup>18</sup>

**UNCLASSIFIED**

**EMIN AGALAROV AT THE 2013 MISS UNIVERSE PAGEANT IN MOSCOW**



Source: The Atlantic

**UNCLASSIFIED**

(U) The Agalarovs first met Trump in person in 2013 in connection with the Miss USA pageant in Las Vegas.<sup>19</sup> The Agalarovs and Trump signed the contract to hold the pageant in Moscow during the weekend of the Miss USA pageant in January 2013.<sup>20</sup> At the conclusion of the 2013 Miss USA pageant, Trump and the Agalarovs announced on stage that the Miss Universe pageant that year would be held in Moscow.<sup>21</sup> In a June 18, 2013 tweet, Trump publicly asked, “Do you think Putin will be going to The Miss Universe Pageant in November in Moscow – if so, will he

become my new best friend?”<sup>22</sup>

(U) Leading up to the Miss Universe pageant, the issue of President Putin possibly attending came “up a number of times” among those planning the pageant.<sup>23</sup> Emin’s manager Robert Goldstone and the head of the pageant organization had “casual” conversations with one another, but every time Goldstone asked Emin about it, Emin replied the pageant would have had to go through “official channels” to make the request, indicating that the event was not officially related to the Russian government.<sup>24</sup> At the time, according to Goldstone, Emin cast doubt on whether President Putin would attend, stating “if this was in America, would Barack Obama attend? Probably not. It’s a beauty pageant. But there is a chance, maybe, of some kind of meeting.”<sup>25</sup> Before the pageant, however, President Putin’s press secretary called and told Trump and others that President Putin would not attend the pageant, and he did not.<sup>26</sup>

(U) While in Moscow, Trump, along with his head of security, attended the pageant and several pageant-related events.<sup>27</sup> For example, Trump attended an event hosted by the Agalarovs at a well-known restaurant with local businessmen.<sup>28</sup>

(U) Although there were allegations in the Steele dossier that Trump engaged in illicit activities with prostitutes in the presidential suite at the Ritz-Carlton hotel, the Committee found no evidence to support these allegations. Trump’s former head of security, [REDACTED], testified that

although somebody during a meeting in Moscow [REDACTED] did not know who— “mentioned sending women to [Trump’s] room,” [REDACTED] responded “absolutely not, we don’t do that.”<sup>29</sup> [REDACTED] told the Committee he advised Trump of the comment, and they both laughed about it. [REDACTED] also testified he walked Trump to his room that night, remained for a few minutes, and did not observe anybody enter the room.<sup>30</sup>

(U) **Trump Tower Moscow:** While in Russia for the Miss Universe pageant, Trump met with the Agalarovs and discussed a possible joint real estate development in Moscow.<sup>31</sup> The proposed project was a Trump Tower in Moscow adjacent to the Agalarov-owned Crocus City Hall; according to Donald Trump Jr., “it fizzled out” after a few months.<sup>32</sup>

(U) **Trump Organization lawyer Michael Cohen** was not involved in those original discussions regarding Trump Tower Moscow. In approximately September 2015, he received a separate proposal for Trump Tower Moscow from a businessman named [REDACTED].<sup>33</sup> According to Cohen, the concept of the project was that “[t]he Trump Organization would lend its name and management skills, but it was not going to borrow any money and it would not have any resulting debt for the purchase of the land and the building of the facility.”<sup>34</sup> Cohen worked on this idea with [REDACTED] and his company, the Bayrock Group, a real estate consultancy that had previously worked with the Trump Organization. [REDACTED]

has a unique and colorful background, and described for the Committee his path from Wall Street banker to white-collar criminal to government informant.<sup>35</sup>

(U) After signing a letter of intent with a local developer in October 2015,<sup>36</sup> Cohen and [REDACTED] exchanged a number of emails and text messages in late 2015 detailing their attempts to move the project forward. For instance, in December 2015, [REDACTED] tried to get Cohen and candidate Trump to travel to Russia to work on the project.<sup>37</sup>

(U) Several of [REDACTED] communications with Cohen involved an attempt to broker a meeting or other ties between candidate Trump and President Putin, and purported to convey Russian government interest in the project.<sup>38</sup> Perhaps most notably, [REDACTED] told Cohen in a November 3, 2015, email, “[b]uddy our boy can become President of the USA and we can engineer it.”<sup>39</sup> [REDACTED] continued that if “Putin gets on stage with Donald for a ribbon cutting for Trump Moscow, . . . Donald owns the republican nomination.”<sup>40</sup> This assertion apparently arose from [REDACTED] rather grandiose theory that cementing a deal with a hostile U.S. adversary would increase candidate Trump’s foreign policy bona fides.<sup>41</sup>

(U) [REDACTED] testified that his communications with Cohen regarding President Putin were “mere puffery,” designed to elicit a response from the Trump Organization to move the project along.<sup>42</sup> [REDACTED] explained that “[u]ntil the bank writes the check, it’s all salesmanship and promotion to try to get many, many,



many parties towards the center to try to get the deal done.<sup>43</sup> Cohen similarly characterized [REDACTED] as "a salesman" who "uses very colorful language."<sup>44</sup>

(U) When the project started proceeding too slowly for the Trump Organization,<sup>45</sup> Cohen and [REDACTED] began to exchange acrimonious text messages.<sup>46</sup> As part of those text messages, [REDACTED] told Cohen that President Putin's people were backing the deal, including "this is thru Putins [sic] administration, and nothing gets done there without approval from the top," as well as meetings in Russia with "Ministers" and "Putins [sic] top administration people."<sup>47</sup> [REDACTED] also mentioned Dmitry Peskov (President Putin's spokesman) would "most likely" be included.<sup>48</sup>

(U) Cohen thus attempted to reach out to members of the Russian government in an attempt to make the project proceed, but apparently did not have any direct points of contact. For example, Cohen sent an email to a general press mailbox at the Kremlin in an effort to reach Peskov.<sup>49</sup> Cohen's message notes that he has been working with a local partner to build a Trump Tower in Moscow and that communications have stalled with the local partner.<sup>50</sup> The email further seeks contact with Peskov so they may "discuss the specifics as well as arrang[e] meetings with the appropriate individuals."<sup>51</sup> Based on the documents produced to the Committee, it does not appear Cohen ever received a response from anyone affiliated with the

Russian government.

(U) [REDACTED] testimony likewise made clear that neither President Putin nor any element of the Russian government was actually directly involved in the project. For instance, in one exchange, [REDACTED] testified he was offering the Trump Organization access to one of [REDACTED] acquaintances. This acquaintance was an acquaintance of someone else who is "partners on a real estate development with a friend of Putin's."<sup>52</sup> [REDACTED] testified that he was unaware of "any direct meetings with any [Russian] government officials" in connection with the Trump Tower Moscow project.<sup>53</sup> In addition, neither candidate Trump nor Cohen traveled to Russia in support of the deal.<sup>54</sup>

(U) [REDACTED] was unequivocal in his testimony that none of the Russians affiliated with the Trump Tower Moscow project had any communications with him "in which [he] w[as] asked to do something on behalf of the Russian government that [he] knew was on behalf of the Russian Government" with respect to the U.S. election.<sup>55</sup> None of those communications "were intended for [REDACTED] to take action to have a communication with or take some action to influence the 2016 Presidential election."<sup>56</sup> The Committee therefore assesses that [REDACTED] was attempting to leverage political contacts for business purposes, rather than the other way around.

(U) It appears the Trump Tower Moscow project failed in January 2016.<sup>57</sup>

Trump Jr. testified that, as of early June 2016, he believed the Trump Tower Moscow project was dormant.<sup>58</sup> The project failed because “[t]he due diligence did not come through” and the Trump Organization’s representative “lost confidence in the licensee, and [he] abandoned the project.”<sup>59</sup> In fact, the Trump Organization did not have a confirmed site, so the deal never reached the point where the company was discussing financing arrangements for the project.<sup>60</sup> The Committee determined that the Trump Tower Moscow project did not progress beyond an early developmental phase, and that this potential licensing deal was not related to the Trump campaign.<sup>61</sup>

(U) **Other Alleged Financial Dealings:** In addition to the Miss Universe and Trump Tower Moscow projects, a number of witnesses were asked about Trump family financial dealings, sometimes stretching back decades.<sup>62</sup> For example, Trump Jr. was asked about Russians: buying units in Trump Tower in 1984 (when he was seven years old);<sup>63</sup> buying properties in southern Florida for which the Trump brand was a licensor;<sup>64</sup> being involved in the Trump International Hotel in Toronto for which the Trump Organization was the brand and not the developer;<sup>65</sup> and having unspecified involvement in a licensing project for the Trump Ocean Club in Panama.<sup>66</sup> The Committee does not have any evidence that there is a nexus between these activities and the 2016 campaign, or information that contradicts representations made in a

March 8, 2017 letter from Trump’s lawyers regarding his Russia-related financial dealings over the previous ten years.<sup>67</sup>

#### POLICY POSITIONS

(U) During the campaign, candidate Trump and several of his campaign advisors expressed policy views towards Russia quite different than those espoused by much of the Republican foreign policy establishment, including previous Republican nominee Mitt Romney, who labeled Russia “our number one geopolitical foe” during the 2012 election. In fact, a significant number of Republican foreign policy experts made statements during the campaign that they would not work for the Trump campaign. As a result, the campaign relied on many lesser-known—or in some cases unknown—advisors on foreign policy issues.

(U) Additionally, a plank of the 2016 Republican platform pertaining to the Ukraine has been the subject of substantial controversy. The question for the Committee was whether candidate Trump’s policy positions—and the campaign’s involvement in the debate over the Ukraine platform plank—reflected legitimate policy positions, or something more nefarious. The Committee found no evidence that the policy positions of the Trump campaign were the result of collusion, coordination, or conspiracy with the Russians. In the words of [REDACTED] Trump campaign policy official involved in the platform issue, “[t]here was no coordination or thought for coordination. The idea to have better relations with Russia was a Mr. Trump idea



that I thought was reasonable to support."<sup>68</sup>

(U) Finding #27: The Republican national security establishment's opposition to candidate Trump created opportunities for two less-experienced individuals with pro-Russia views to serve as campaign advisors: George Papadopoulos and Carter Page.

(U) The Republican foreign policy establishment was critical of candidate Trump, who had to turn elsewhere for support. On March 2, 2016, 122 self-described "GOP National Security Leaders" signed an "Open Letter to Donald Trump" refusing to support then-candidate Trump.<sup>69</sup> The next day, Trump announced Senator Jeff Sessions as chairman of his National Security Advisory Committee (NSAC). A few weeks later, following continuing media criticism of his failure to publicly name a foreign policy team,<sup>70</sup> candidate Trump named five foreign policy advisors in a March 21, 2016 meeting with *The Washington Post* editorial board: Walid Phares, Carter Page, George Papadopoulos, Joe Schmitz, and Keith Kellogg.<sup>71</sup>

(U) The opposition to Trump's candidacy by the vast majority of the conservative national security establishment paved the way for lesser-known individuals, such as the then 28-year-old Papadopoulos, to join the Trump campaign. Page was another unknown brought into the periphery of the Trump campaign to fill the vacuum left by more experienced national security specialists who were unwilling to advise candidate

Trump. There is no evidence that anyone on the Trump campaign was aware of Page's past ties to Russian intelligence services—or Papadopoulos' more recent contacts with a Russian-connected professor—when these two individuals were included among the advisors that were publicly announced on March 21. In fact, as Kushner candidly put it, "we put together that list because we were getting a lot of pressure from the media to put out a list of foreign policy advisers."<sup>72</sup>

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**GOP National Security Leaders  
Open Letter to Donald Trump**

STATEMENT BY FORMER NATIONAL SECURITY OFFICIALS

The undersigned individuals have all served in senior national security and/or foreign policy positions in Republican Administrations, from Richard Nixon to George W. Bush. We have worked directly on national security issues with these Republican Presidents and/or their principal advisers during wartime and other periods of crisis, through successes and failures. We know the personal qualities required of a President of the United States.

None of us will vote for Donald Trump.

Source: *The New York Times*

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(U) These five advisors were subsequently incorporated into the NSAC, which was part of the campaign's D.C.-based policy shop.<sup>73</sup> The NSAC was chaired by Senator Sessions and directed by J.D. Gordon, a retired Navy officer and former Department of Defense spokesman.<sup>74</sup> Some members of the NSAC met with candidate Trump in Washington, D.C. on March 31, 2016. Page did not attend. Each advisor in attendance, including Papadopoulos, briefed the group on a topic of their choice. Papadopoulos spoke about Russia.

However, in the opinion of one advisor, Walid Phares, the primary purpose of the meeting was about optics rather than substance: "the meeting was about the picture and to send the message that: I have a foreign policy team."<sup>75</sup>

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**NSAC MEETING WITH**  
**CANDIDATE TRUMP**



State Twitter

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(U) Page was, according to NSAC director Gordon, "very loosely affiliated with the campaign and had really no roles or responsibilities."<sup>76</sup> The Committee assesses that Page played no major role in the campaign, and had no meaningful access to senior leadership.

(U) Page did not attend the March 31, 2016, NSAC meeting with then-candidate Trump, and has never met him.<sup>77</sup> Although members of the NSAC occasionally gathered for meals in the Washington, D.C. area, they never again met as a group with candidate Trump.<sup>78</sup> Kushner provided a blunt assessment of the role, or lack thereof, played by the individuals on the initial list of publicly-announced foreign policy advisors: "[T]he amount of interaction they had with

the actual campaign or influence they had on anything that happened in the campaign was virtually nonexistent."<sup>79</sup> Gordon testified to the Committee that he agreed with the assertion that the NSAC was minimally influential in the context of the broader campaign.<sup>80</sup>

(U) Finding #28: The change in the Republican Party platform regarding Ukraine resulted in a stronger position against Russia, not a weaker one, and there is no evidence that Paul Manafort was involved.

(U) It has been widely reported that the 2016 Republican Party platform was weakened with respect to Ukraine, perhaps as a favor to Russia or some other nefarious reason. After reviewing the Republican Party platform amendment process, interviewing those involved, and reviewing document productions, the Committee determined that the original plank was strengthened, rather than weakened—and there is no evidence that language advocating for the provisions of "lethal defensive weapons" was improperly removed.

(U) On July 11, 2016, the Republican National Committee Platform Committee met to discuss and debate amendments to the platform. As drafted, the platform referenced "a resurgent Russia occupying parts of Ukraine," but included no language about support to Kiev (see inset). [REDACTED] of Texas, a member of the National Security/Military Platform Subcommittee, offered an amendment that would "support



maintaining (and, if warranted, increasing) sanctions against Russia until Ukraine's sovereignty and territory integrity are fully restored."<sup>81</sup> [REDACTED] proposed amendment further called on the United States to provide "lethal defensive weapons to Ukraine's armed forces and greater coordination with NATO [North Atlantic Treaty Organization] on defense planning."<sup>82</sup>

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**Original RNC Plank**

(U) In the international arena, weakness invites aggression. The results of the [Obama] Administration's unilateral approach to disarmament are already clear: An emboldened China in the South China Sea, a resurgent Russia occupying parts of Ukraine and threatening neighbors from the Baltic to the Caucasus, an aggressive Islamist terrorist network in Middle East. All our adversaries heard the message in the [Obama] Administration's cut-backs: America is weaker and retreating.

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(U) Much of [REDACTED] amendment was adopted, but—following debate among the delegates—the final version called for the United States to provide "appropriate assistance" rather than "lethal defensive weapons."<sup>83</sup> The Committee assesses that "appropriate assistance" provided flexibility, and could encompass lethal defensive weapons as well as humanitarian aid, medical supplies, and meals-ready-to eat. In any event, even without the words "lethal defensive weapons," the final draft of the platform "was tougher against Russia" than the original after incorporating

all but three words of [REDACTED] amendment.<sup>84</sup>

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**Final RNC Plank**

(U) We support maintaining and, if warranted, increasing sanctions, together with our allies, against Russia unless and until Ukraine's sovereignty and territorial integrity are fully restored. We also support providing appropriate assistance to the armed forces of Ukraine and greater coordination with NATO defense planning.

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(U) The Committee also investigated what role, if any, Paul Manafort played in the Trump campaign's response to Denman's amendment. Manafort, a veteran of numerous Republican campaigns,<sup>85</sup> had long represented the government of Ukraine, the pro-Russian former president of Ukraine Viktor Yanukovich, and Yanukovich's Party of Regions.<sup>86</sup> In late March 2016, candidate Trump hired Manafort to lead "delegate-corralling efforts at the Republican National Convention."<sup>87</sup> Then-campaign manager [REDACTED] testified that, when Manafort was hired, [REDACTED] made no attempt to vet him and was entirely unaware of Manafort's past work in Ukraine.<sup>88</sup> In May 2016, Manafort was promoted to campaign chairman and, after [REDACTED] was fired the next month, "evolve[d]" into the role of de facto campaign manager.<sup>89</sup>

(U) Manafort left the campaign in August 2016 following news reports that he

had received \$12.7 million in secret payments for his work on behalf of Yanukovich's Party of Regions; news reporting also alleged that Manafort and his aide Rick Gates had "directly orchestrated a covert Washington lobbying operation" on behalf of the party—while failing to register as foreign agents.<sup>90</sup> Campaign press secretary Hope Hicks recalled that, after receiving press inquiries about Manafort's "professional history," a major story broke on the evening of August 14, 2016.<sup>91</sup> According to Hicks, "Trump had made a decision to make a change in leadership on the campaign outside of Paul's issues that were being publicly reported," but those issues "certainly contributed to expediting and intensifying the way in which his role changed, and then ultimately he was fired at the end of that week."<sup>92</sup> Trump directed his son-in-law Jared Kushner to ensure Manafort departed the campaign on August 19, which he did.<sup>93</sup> As Kushner put it, "[t] here was a lot of news that was out there, and the decision was that it was time for

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**PAUL MANAFORT RESIGNS**  
**FROM TRUMP CAMPAIGN**



The departure of Trump's campaign strategist comes two days after the network aired the interview.

BY THE AP/WIDE WORLD

Source: AP/Wide

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him to resign."<sup>94</sup>

(U) Given Manafort's past work in Ukraine, if the Ukraine plank change was made as a favor to the Russian government, it seems likely that then-campaign chairman Manafort would have known about it. However, campaign records produced to the Committee show that Manafort had no role in, or contemporaneous knowledge of, the platform change. On July 30, 2016, Manafort sent an email, copying Gates, to Rick Dearborn, then a senior campaign policy official and Sessions' chief of staff: "I gather that there was a change in the platform that removed arming Ukraine. I don't know anything about this change. Who pushed for it and why was it done?"<sup>95</sup>

(U) In response, Dearborn generated a memorandum, dated August 1, 2016, outlining a detailed sequence of events that occurred between July 10 and 12, 2016.<sup>96</sup> As part of that memo, J.D. Gordon created a timeline that noted candidate Trump's policy statements—including at a March 31, 2016, national security meeting—served as the basis for the modification of Denman's amendment.<sup>97</sup> Gordon's timeline made it clear that the change was initiated by campaign staffers at the convention—not by Manafort or senior officials. Although Page expressed support after the fact, the Committee did not find any evidence that he actively participated in the modification of Denman's "red line amendment providing lethal assistance to Ukraine."<sup>98</sup>

**PUBLICATION OF STOLEN EMAILS**



(U) Finding #29: There is no evidence that Trump associates were involved in the theft or publication of Clinton campaign-related emails, although Trump associates had numerous ill-advised contacts with WikiLeaks.

(U) There is no evidence that Trump or anyone associated with him played a role in the hacking of emails from the DNC and Clinton campaign chairman John Podesta, among other entities and individuals, detailed in Chapter 2. As also discussed in Chapter 2, the Committee concurs with the IC's assessment that WikiLeaks was one of the vehicles for the public dissemination of emails stolen by Russians. As noted in Chapter 3, on October 7, 2016, the Department of Homeland Security and Office of the Director of National Intelligence released a public statement that "[t]he U.S. Intelligence Community is confident that the Russian Government directed the recent compromises of e-mails from US persons and institutions, including US political organizations."<sup>99</sup> The statement also specifically tied WikiLeaks to the Russian-directed disclosures.

(U) Trump campaign communications made ample use of the publicly available emails, which were reported by virtually all major media outlets. Regarding WikiLeaks, Trump Jr. testified that "[a]t the time, I looked at them as essentially a media outlet" and an "opportunistic organization" that would have also put out negative information on Trump if it had it.<sup>100</sup> For Senator Sessions, reference to WikiLeaks

material in campaign statements was the product of deliberation: "And so, I remember making a decision that it [a trove of hacked emails] was in the public domain, and it would be silly not to use it. So I used it, although I could understand somebody else not wanting to."<sup>101</sup> For campaign press secretary Hope Hicks, use of emails published by WikiLeaks was uncontroversial because such information was available in the public domain.<sup>102</sup>

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**WIKILEAKS RELEASES CLINTON EMAILS**

WikiLeaks LEAKS NEWS ABOUT CORRUPTION

From: Emily Guerin  
To: John Podesta  
Date: 2015-07-13 11:01:00  
Subject:

UNCLASSIFIED//NOFORN

Message ID: 1001

11/13/15

From: WikiLeaks [mailto:wikileaks@wikileaks.com]  
Sent: Friday, June 12, 2015 8:24 AM  
To: johnpodesta@clinton.com

Subject: Hi Hi

Hi John, I'm sorry to hear that you're having some trouble with your account.

From: WikiLeaks [mailto:wikileaks@wikileaks.com]  
Sent: Friday, June 12, 2015 8:24 AM  
To: johnpodesta@clinton.com

Subject: Hi Hi

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Subject: Hi Hi

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(U) Similarly, candidate Trump stated at a rally on October 10, 2016—three days after the release of Podesta's emails began and the IC publicly tied WikiLeaks' dissemination to "Russia's senior-most officials"—that "I love WikiLeaks."<sup>103</sup> Trump had earlier encouraged the Russians to "find the 30,000 emails that are missing" from Hillary Clinton's private server.<sup>104</sup> (These emails, which were the frequent subject of campaign talking points, should not be

conflated with the DNC emails. The Committee did not receive evidence that the emails from Clinton's private server were stolen by the Russians—or anyone else.)<sup>105</sup>

(U) Particularly in light of candidate Trump's expressed enthusiasm for WikiLeaks, the Committee examined the relationship between his associates and the stolen emails. The Committee did not find any evidence that Trump associates were involved in the publication of emails by WikiLeaks and other outlets—or had access to such emails or other stolen information prior to their becoming publicly available.<sup>106</sup>

(U) The Committee did find that multiple Trump associates went beyond mere praise and established lines of communication with WikiLeaks during the campaign. Such contacts were imprudent in light of WikiLeaks' role in disseminating stolen emails in line with Russian interests—and CIA Director Mike Pompeo's post-election characterization of WikiLeaks as a hostile non-state intelligence service that "overwhelmingly focuses on the United States, while seeking support from anti-democratic countries and organizations" such as the Russian military intelligence service (GRU).<sup>107</sup>

(U) **George Papadopoulos:** Foreign policy advisor Papadopoulos was told by Russian-linked academic Joseph Mifsud in April 2016 that the Russians had "dirt" on Clinton in the form of "emails of Clinton."<sup>108</sup> However, the Committee found no evidence that Papadopoulos obtained these emails or that the Trump campaign had a role in facilitating the Russian government's dissemination of

stolen data. Nor did any witness shed light on the provenance of the emails, or clarify that Mifsud was referring to emails actually stolen by the Russians (as opposed to, for example, emails missing from Clinton's private server.) The Committee also found no evidence that Papadopoulos told anyone affiliated with the Trump campaign about Mifsud's claims that the Russians had "dirt" on candidate Clinton.

(U) **Michael Flynn:** On July 15, 2016, retired Lieutenant General and Trump national security advisor Michael Flynn forwarded an email to communications advisor [REDACTED] in an attempt to connect a friend from the military with the campaign's social media operation. Flynn included the following editorial comment: "There are a number of things happening (and will happen) this election via cyber operations (by both hacktivists, nation-states and the DNC)."<sup>109</sup> This statement does not necessarily indicate non-public knowledge, and could have instead reflected commentary on then-current public events—including the mid-June attribution of the DNC hack to Russia by the security firm CrowdStrike, and the subsequent claim of credit by the then-unknown persona "Guccifer 2.0." (See Chapter 2.)

(U) **Donald Trump Jr.:** During the course of the Committee's interview with Trump Jr., a news report from CNN appeared online claiming he was given a pre-release notification of a WikiLeaks release of Podesta emails.<sup>110</sup> The article appeared at 1:01 p.m., while Trump Jr. was still being interviewed by the Committee behind closed doors, which concluded at 5:51 p.m.<sup>111</sup> CNN's initial report



claimed Trump Jr. received an email on September 4, 2016, alerting him to an upcoming release of hacked emails.

(U) The email in question was from an individual named [REDACTED], who sent a lengthy email to a number of individuals associated with the Trump Organization, including Trump Jr., providing access to hacked DNC emails.<sup>112</sup> The email was actually dated September 14, 2016, the day after WikiLeaks published a tranche of Podesta emails, and thus did not substantiate allegations of prior knowledge of the release.<sup>113</sup> CNN subsequently issued a correction, noting the error.<sup>114</sup>

(U) When asked about the email by the Committee, Trump Jr. testified that he did not have any recollection of the email, stating that he “get[s] stuff from people that – you know, people put my email address online every few months, and I get a bunch of people that do the same thing and then they start bombarding you with stuff.”<sup>115</sup> Trump Jr. went further to state that while he may have met a [REDACTED] at some point in time, he was not sure of the identity of this individual.<sup>116</sup>

(U) At the outset, Trump Jr. told the Committee that, although he was not aware of any coordination “between the Trump campaign and WikiLeaks to disseminate information acquired from the Podesta email or the DNC server,”<sup>117</sup> he did exchange Twitter direct messages with WikiLeaks beginning on September 20, 2016, and October 3, 2016.<sup>118</sup> WikiLeaks initiated both exchanges.<sup>119</sup> Trump Jr.

testified that he was not aware of the reasons why WikiLeaks decided to reach out to him directly, but hypothesized that such direct messaging was likely due to the fact that he “was retweeting a bunch of their stuff. . .” and that he has “a relatively formidable social media platform.”<sup>120</sup>

(U) In the first exchange, on September 20, 2016, WikiLeaks sent a direct message to Trump Jr. to alert him to a “PAC run anti-Trump site” that was about to launch. WikiLeaks “guessed the password” and sent it to Trump Jr. and asked for comments.<sup>121</sup> Trump Jr. responded the next day, “[o]ff the record I don’t know who that is but I’ll ask around.”<sup>122</sup> Trump Jr. subsequently logged into the site using the WikiLeaks-supplied password, which had also been made publicly available.<sup>123</sup>

(U) Following that exchange, Trump Jr. emailed some Trump campaign officials, to include Kellyanne Conway, Steve Bannon, and Jared Kushner to advise them of the contact and seek their advice.<sup>124</sup> In a follow-up email, Trump Jr. noted the WikiLeaks message intimated “some connection we [the Trump campaign] should be aware of.”<sup>125</sup> The Committee did not receive any documents or information that reflected a response to Trump Jr.’s email, although Hope Hicks recalled that—after being forwarded the email by Kushner—she “might have expressed concern to somebody about putting passwords in unknown websites, just as a general practice, not specific to WikiLeaks.”<sup>126</sup>

(U) On October 3, WikiLeaks passed

along a story reporting Clinton's comments about Julian Assange and noted "[i]t'd be great if you guys could comment on/push this story."<sup>127</sup> Trump Jr. responded about 90 minutes later: "Already did that earlier today. It's amazing what she can get away with."<sup>128</sup> Trump Jr. then wrote: "What's behind this Wednesday leak I keep reading about?"<sup>129</sup> Trump Jr. was seeking information on what was purported to be, another future leak of Podesta-related emails.<sup>130</sup> There was no response.

{U} After October 3, 2016, Trump Jr. received numerous messages from WikiLeaks that:

- suggest a website link to use if the campaign refers to WikiLeaks in a tweet and suggests having supporters search through the leaked Podesta emails, noting WikiLeaks "just released" "Part 4" of those emails;<sup>131</sup>
- seek then-candidate Trump's tax returns and suggests leaking them to "improve the perception of [WikiLeaks'] impartiality";<sup>132</sup>
- suggest challenging the results should Trump lose the election;<sup>133</sup>
- describe an election-night message of "[w]ow" and noting Obama administration will delete records as they leave;<sup>134</sup>
- suggest the President-elect push Australia to make Julian Assange that country's ambassador to the United States;<sup>135</sup>

- forward what appears to be a video with the caption "Fake News";<sup>136</sup> and
- on the date the news of the June 9, 2016, Trump Tower meeting broke, seek copies of Trump Jr.'s emails.<sup>137</sup> With respect to the latter, Trump Jr. published those emails himself on his Twitter account.

{U} Trump Jr. testified that he did not reply to any of these messages, nor did he have any communications with WikiLeaks before September 20 or after October 3, 2016.<sup>138</sup> He testified that the direct message exchanges discussed above "is a complete record of any communications [he] had with WikiLeaks."<sup>139</sup>

{U} Cambridge Analytica: In addition to Trump Jr.'s communications with WikiLeaks, Cambridge Analytica, a British firm the Trump campaign used for data analytics, reached out to Julian Assange in an effort to confirm whether WikiLeaks possessed the "missing" emails deleted from Clinton's private server.<sup>140</sup> That contact occurred in approximately June 2016,<sup>141</sup> between an employee of Cambridge Analytica and the speaker's bureau (a separate third party) representing Assange.<sup>142</sup> WikiLeaks replied through the bureau that "they did not wish to take a telephone call or otherwise engage with us [Cambridge Analytica]."<sup>143</sup>

{U} Trump campaign digital director ██████████ testified that he did not participate in, nor was he aware of, Cambridge Analytica's attempted outreach to Assange.<sup>144</sup> The Chief Executive Officer



(CEO) of Cambridge Analytica confirmed in his testimony that he "did not share this with anyone on the Trump campaign."<sup>145</sup> In fact, the CEO testified that the outreach occurred before the company was even retained by the Trump campaign.<sup>146</sup>

(U) Roger Stone: Roger Stone has had a series of business relationships with Donald Trump dating back to at least 1981, and served as a paid campaign advisor for several months in 2015.<sup>147</sup> During testimony to the Committee, Stone addressed three public statements suggesting he might have important information about, and potentially advance knowledge of, disclosures during the 2016 campaign: (1) an August 2016 Twitter message regarding Clinton campaign chairman John Podesta, (2) an August 2016 public speech about purported contacts with Julian Assange, and (3) the March 2017 acknowledgement of pre-election direct communications with Guccifer 2.0.

(U) Stone denied that he "knew in advance about and predicted the hacking of . . . Podesta's email," notwithstanding his cryptic statement in an August 21, 2016, Twitter message—"Trust me, it will soon be Podesta's time in the barrel"—that predated by several weeks the initial public release of Podesta's hacked emails.<sup>148</sup> Stone noted that his Tweet "makes no mention whatsoever of Mr. Podesta's email."<sup>149</sup> Furthermore, it was posted "at a time that my boyhood friend and colleague, Paul Manafort, had just resigned from the Trump campaign over allegations regarding

his business activities in Ukraine. I thought it manifestly unfair that John Podesta not be held to the same standard" regarding his alleged business activities.<sup>150</sup> In October 2017, John Podesta's brother Tony resigned from the lobbying firm the brothers co-founded amid revelations about the Podesta Group's role in pro-Ukraine lobbying efforts that also involved Manafort and his associate Rick Gates.<sup>151</sup>

(U) Stone also addressed his August 2016 public statement that "I've actually communicated with Julian Assange. I believe the next tranche of his documents pertain to the Clinton Foundation, but there's no telling what the October surprise may be."<sup>152</sup> In his testimony to the Committee, Stone sought to "clarify that by saying the communication I refer to is through a journalist who I ask [sic] to confirm what Assange has tweeted, himself, on July 21st, that he has the Clinton emails and that he will publish them."<sup>153</sup> He subsequently identified the intermediary, but denied any access to non-public information.<sup>154</sup> Stone further disputed, under oath, that he "had advance knowledge of the source or actual content of the WikiLeaks disclosures."<sup>155</sup>

(U) In his testimony, Stone described a series of direct messages exchanged with Guccifer 2.0 in August and September 2016—which he first publicly disclosed in March 2017—as "innocuous," and denied taking action in response to Guccifer 2.0's messages.<sup>156</sup> He subsequently provided additional messages with WikiLeaks

extending from October 2016 to August 2017.<sup>157</sup>

(U) Despite these multiple contacts, the Committee did not find any evidence contradicting Stone's claim that "[a]ny information . . . disseminated via social media regarding the timing of the release of the DNC data or others was from publicly available sources" and "he in no way conspired, colluded, or coordinated with any agent of the Russian state."<sup>158</sup>

#### MEETINGS WITH RUSSIANS

(U) The Committee examined meetings between Trump campaign associates and Russians, to include both official and unofficial representatives. The Russians found willing interlocutors in foreign policy advisors ██████████ and Papadopoulos. These advisors, however, were peripheral figures, and neither was in a position to influence Trump or his campaign. The Russians engaged Trump associates via official channels and—more notably—used apparent cut-outs and intermediaries to make contact with senior officials. However, questionable contacts like the Trump Tower meeting resulted in collusion, conspiracy, or coordination with the Russian government.

(U) Finding #30: ██████████ did not travel to Moscow in July 2016 on behalf of the Trump campaign, but the Committee is concerned about his seemingly incomplete accounts of his activity in Moscow.

(U) ██████████ traveled to Moscow in early July 2016 to deliver a commencement

speech at the New Economic School—the first American to do so since then-President Barack Obama in 2009. At the time, ██████████ served as a foreign policy advisor for the Trump campaign. The Trump campaign made it clear to ██████████ that the trip was not on behalf of the Trump campaign, a point ██████████ acknowledged in his testimony to the Committee.<sup>159</sup> J.D. Gordon, the NSAC director, strongly advised against the trip, calling it "a bad idea."<sup>160</sup> However, Trump campaign manager ██████████ authorized ██████████ to make the trip "out side of [his] role with the DJT [Donald J. Trump] for President campaign."<sup>161</sup> ██████████ mentioned the upcoming trip to Sessions at one of the occasional NSAC meals,<sup>162</sup> although Sessions did not recall the interaction.<sup>163</sup>

(U) On July 9, 2016, while in Russia, ██████████ sent an "executive summary" of "Feedback From Russia" that stated in part "Russian Deputy Prime Minister and NES [New Economic School] Board Member Arkady Dvorkovich also spoke before the event. In a private conversation, Dvorkovich expressed strong support for Mr. Trump and a desire to work together toward devising better solutions in response to the vast range of current international problems. Based on feedback from a diverse array of other sources close to the Russian Presidential Administration, it was readily apparent that this sentiment is widely held at all levels of government."<sup>164</sup> ██████████ admitted to briefly greeting Dvorkovich before or after one of their



speeches, but minimized the interaction in testimony before the Committee.<sup>165</sup>

(U) Ultimately, [REDACTED] failed to clearly explain whom he meant when he referred to sources close to Russian government in his executive summary. He denied having any private meetings with any senior Russian officials during his July 2016 trip, and stated that he mostly met with "scholars."<sup>166</sup> The Steele dossier, a document compiled by former British intelligence officer Christopher Steele, alleges that while in Moscow in July 2016, Page secretly met with Igor Sechin, CEO of Russian state oil company Rosneft, and Igor Diveykin, a senior Russian intelligence official.<sup>167</sup> Further, the Steele dossier claims that Sechin offered Page a brokerage fee in connection with the sale of 19 percent of Rosneft in exchange for the lifting of sanctions.<sup>168</sup>

**UNCLASSIFIED**  
**CHRISTOPHER STEELE, THE MAN**  
**BEHIND THE TRUMP DOSSIER**



Source: The New Yorker

**UNCLASSIFIED**

(U) Since the allegation of meeting with Sechin and Diveykin was first widely reported in September 2016, [REDACTED] has

repeatedly and consistently denied meeting either Sechin or Diveykin, including under oath in testimony to the Committee.<sup>169</sup> The Committee has no information that confirms the Steele dossier's assertions regarding the purported meetings in Moscow, much less an offer by Sechin to [REDACTED] for such a role in a potentially lucrative transaction. After returning from Moscow, [REDACTED] took a "leave of absence" from the Trump campaign, and played no role in the transition or administration.<sup>170</sup>

**(U) Finding #31: George Papadopoulos' attempts to leverage his Russian contacts to facilitate meetings between the Trump campaign and Russians was unsuccessful.**

(U) Papadopoulos made minor contributions to the Trump campaign as a foreign policy advisor. He briefly served as a Trump campaign surrogate, a role cut short in May 2016 when he publicly insulted UK Prime Minister David Cameron.<sup>171</sup> He also—in an apparent effort to increase his standing within the Trump campaign—tried to insert himself into any number of international engagements. As described below, his particular focus was trying to broker meetings with foreign officials, but he often acted on his own without the official backing of the Trump campaign.

(U) On March 24, 2016, Papadopoulos sent an email to several members of the policy team pitching a "[m]eeting with Russian leadership—including Putin"—and also volunteered to travel to meet the "next prime minister of Vietnam" alongside Mifsud (whom he had first met just ten days

before but nonetheless described as a “good friend of mine”).<sup>172</sup> Campaign co-chair and chief policy advisor ██████ responded that “we probably should not go forward with any meetings with the Russians until we have had occasion to sit with our NATO allies, especially France, Germany and Great Britain.”<sup>173</sup> In the same exchange, Papadopoulos then immediately switched gears, indicating that “[i]f we need any assistance with setting up meetings here in London or Paris, I have some good contacts that can open doors immediately to the leadership.”<sup>174</sup>

(U) During the NSAC meeting with Trump on March 31, 2016—the only time Papadopoulos is known to have engaged directly with the candidate—Senator Sessions told the team that they were not authorized to speak for the campaign.<sup>175</sup> In his words “[t]his committee was not . . . a group of people authorized to speak for [candidate] Trump, and they absolutely weren’t authorized to go around the world pretending to represent him.”<sup>176</sup> That sentiment was, according to Sessions, “a good statement to make quite clear.”<sup>177</sup>

(U) When Papadopoulos offered that he could engage, and possibly travel to, Russia on behalf of the campaign, his suggestion was swiftly rebuffed by Sessions, who testified that “I felt like—and I’m the chairman of this group—I should not do anything that indicated to Mr. Papadopoulos that he was authorized to go to Russia or anyplace else to represent the Trump campaign and do some sort of

negotiations. So I pushed back pretty sharply on that.”<sup>178</sup> Sessions’ account of his response has been corroborated by another attendee, ██████.<sup>179</sup> ██████ also attended and similarly recalled that when Papadopoulos raised the issue of obtaining contacts with the Russian government on behalf of the campaign, Senator Sessions interrupted and began “talking about the Logan Act,” which criminalizes unauthorized negotiations with foreign governments.<sup>180</sup>

(U) Although the Committee has no information to indicate that Papadopoulos was successful in setting up any meetings between the Trump campaign and the Russian government, he worked with campaign chief executive Steve Bannon to broker a September 2016 meeting between candidate Trump and Egyptian president Abdel Fatah el-Sisi.<sup>181</sup> Trump was apparently pleased with the meeting, which he described in an interview as “very productive,” describing el-Sisi as “a fantastic guy.”<sup>182</sup>

(U) While on a trip to Athens, Greece in May 2016, Papadopoulos sent an email to Manafort stating that he expected to soon receive “an official invitation for Mr. Trump to visit Greece sometime this summer should his schedule allow.”<sup>183</sup> In the same email to Manafort, Papadopoulos also forwarded a meeting invitation from Ivan Timofeev, Director of Programs for the Russian International Affairs Council, and claimed that “Russia has been eager to meet Mr. Trump for quite sometime and have been reaching out to me to discuss. I



thought it would be prudent to send to you."<sup>184</sup>

(U) As of May 2016, Manafort had not yet been elevated to campaign chairman, but had a long track record of work abroad. Manafort forwarded Papadopoulos' email to his business and campaign deputy [REDACTED] [REDACTED] noting that "[w]e need someone to communicate that D[onald] T[rump] is not doing these trips."<sup>185</sup> Manafort and [REDACTED] agreed to assign a response of a "general letter" to "our correspondence coordinator," the person responsible for "responding to all mail of non-importance."<sup>186</sup>

(U) In June 2016, Papadopoulos sought a paid position and reimbursement for expenses from [REDACTED]—a Sessions aide, who along with [REDACTED], ran the Trump campaign's D.C. policy shop—for an upcoming trip "to DC for a high level meeting [with] the director of the Israel National Security Council" and past trips to "the UK, Israel and Greece over the past month engaging in some senior level meetings . . ."<sup>187</sup> [REDACTED] forwarded the message to Gordon and [REDACTED]. Mashburn then replied as follows: "He cost us a lot more in having to deal with what he said about [then-UK prime minister David] Cameron 2 months ago. . . he got no approval for the travel and did it on his own in[i]tiative . . . . Let him eat the cost and maybe he will learn to play nice with the team, not go off on his own. [REDACTED] [REDACTED] would never have approved his going off on world travels at campaign

expense without asking permission first."<sup>188</sup>

[REDACTED] replied to [REDACTED] with one word: "agreed."<sup>189</sup>

(U) [REDACTED] responded to Papadopoulos that he could take the meeting, but he "should do that as a private citizen."<sup>190</sup> Making the point explicit, [REDACTED] wrote: "You're not authorized to meet with him by [sic] the campaign, nor can you reflect the views of the campaign on security issues in that meeting."<sup>191</sup>

**(U) Finding #32: Donald Trump Jr., Jared Kushner, and Paul Manafort attended a June 9, 2016, meeting at Trump Tower where they expected to receive—but did not ultimately obtain—derogatory information on candidate Clinton from Russian sources.**

(U) In July 2017, the Committee became aware of a June 9, 2016, meeting in Trump Tower, which became a key focus of the investigation. The Committee's findings were informed by interviews with six of the eight participants in the meeting.

(U) Although they did not attend the meeting, the Agalarovs were the driving force to arrange it. As previously noted, the Agalarovs and Goldstone had gotten to know businessman Donald Trump when the Agalarovs worked with Trump to host the Miss Universe pageant at the Agalarovs' building, the Crocus City Hall, in Moscow in 2013.<sup>192</sup> The Agalarovs also had discussions with Donald Trump in 2013 to facilitate the possible development of a Trump Tower in Moscow.<sup>193</sup> The 2013 Miss Universe

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## PARTICIPANTS OF THE JUNE 9, 2016 MEETING AT TRUMP TOWER



**Paul Manafort**

Longtime Republican campaign advisor and international lobbyist, Manafort served as director of the Trump campaign.



**Donald J. Trump, Jr.**

Son of candidate Donald Trump, Trump, Jr. served as a senior advisor to the campaign running day-to-day operations from New York.



**Jared Kushner**

Son-in-law to candidate Donald Trump, Kushner served as a senior advisor to the campaign.



**Rob Goldstone**

London-based promoter who managed pop star Emin [Agalarov], the Vice President of the Crocus Group.



**Natalia Veselnitskaya**

Russian lawyer, who represented the Pravezin in a civil forfeiture case in the federal court in New York.



**Dae Kaveladze**

California-based manager of the Crocus Group.



**Rinat Akhmetdin**

Russian-American lobbyist.



**Anatoli Samorchnov**

Former employee at the U.S. Department of State, Samorchnov translated for Veselnitskaya at the June 9th meeting.

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pageant formed the basis of a casual friendship between the Trumps and the Agalarovs.<sup>194</sup> Trump appeared in one of Emin Agalarov's music videos with the 2013 pageant winner,<sup>195</sup> and Trump maintained a friendly correspondence with Aras Agalarov—including during the busy 2016 campaign.<sup>196</sup>

(U) Events leading to the meeting were set in motion by a June 3, 2016, email from Goldstone to Trump Jr., stating: "Emin just called and asked me to contact you with something very interesting. The Crown prosecutor of Russia [possibly referring to Russian Prosecutor General Yuri Chaika] met with his father Aras this morning and in their meeting offered to provide the Trump



campaign with some official documents and information that would incriminate Hillary and her dealings with Russia and would be very useful to your father. This is obviously very high level and sensitive information but is part of Russia and its government's support for Mr. Trump – helped along by Aras and Emin."<sup>197</sup> Trump Jr. replied to Goldstone's June 3 request by indicating "if it's what you say I love it especially in the summer."<sup>198</sup>

(U) This exchange indicates that Trump Jr. was open to discussing derogatory, information from Russian government sources that could be useful to candidate Trump. Goldstone proposed to deliver information concerning Hillary Clinton via a Russian government attorney.<sup>199</sup> Trump Jr. indicated that he had invited Kushner and Manafort,<sup>200</sup> underscoring his belief in the importance of the information.

with connections to the Agalarov family, was one of the individuals who attended the June 9 meeting at Trump Tower. The Committee discovered that the participants of the June 9 meeting did not all have the same understanding as to the reasons for the meeting, with [REDACTED] testifying that he thought it was odd that all three senior Trump campaign officials would be taking a meeting on the Magnitsky Act, a U.S. human rights law that imposes certain sanctions on Russian interests. Accordingly, [REDACTED] called [REDACTED], a close associate of Emin Agalarov based in the United States, to inquire about the purpose

of the meeting. [REDACTED] explained that he believed the scheduled meeting at Trump Tower was about providing negative information on candidate Clinton to the Trump campaign.<sup>201</sup>

(U) Based on Trump Jr.'s testimony and the documentary evidence received by the Committee, there is no evidence to support that there were any prior communications between the Trump campaign and the other attendees: [REDACTED]; Russian lawyer Natalia Veselnitskaya; Russian-American lobbyist and former Soviet intelligence officer [REDACTED]; or Russian-American [REDACTED] who served as a Russian interpreter. Furthermore, the Committee found no evidence that Trump Jr. knew the identities of these individuals before the meeting,<sup>202</sup> or that he discussed it with candidate Trump beforehand.<sup>203</sup>

(U) The Committee interviewed all attendees other than Manafort, due to the Special Counsel's ongoing investigation, and Veselnitskaya, who is a Russian national located overseas without a valid visa to enter the United States. Despite the pretext for the meeting, every person with direct knowledge of what occurred confirmed that there was no mention of derogatory or incriminating information directly relating to Hillary Clinton during the June 9 meeting. Goldstone testified that he had no evidence that the Russian government supported or favored Donald Trump, and admitted to embellishing the contents of the email solely for the purpose of gaining a response from Trump Jr., namely by using inaccurate

information.<sup>204</sup>

(U) Veselnitskaya, Samochornov, Kaveladze, and Akhmetshin met for lunch before the Trump Tower meeting.<sup>205</sup> During lunch, there was a discussion regarding the Trump Tower meeting. Veselnitskaya shared an approximately 10-page document in Russian to provide the lunch attendees with a synopsis of what would be discussed at the meeting, a summary that contained much of the same information as a similar document reportedly shared with Russian prosecutor general Yuri Chaika.<sup>206</sup> Based on this discussion, the lunch attendees believed the Trump Tower meeting was about the Magnitsky Act.<sup>207</sup> The lunch attendees then met Goldstone at Trump Tower shortly before the meeting.<sup>208</sup> They proceeded to the 25th Floor where they met Trump Jr., and he led the group to a conference room.<sup>209</sup>

(U) The June 9 meeting lasted as little as 20 minutes.<sup>210</sup> Kaveladze testified that he believed Trump Jr. started the meeting and then turned it over to Veselnitskaya.<sup>211</sup> Interviewed meeting attendees agreed that Veselnitskaya presented information concerning the Magnitsky Act and the Ziff Brothers, including their alleged role in evading taxes in Russia and political contributions to the DNC and/or Clinton campaign.<sup>212</sup> Several attendees also recalled discussion of Russian adoptions, which the Russian government suspended in retaliation for the Magnitsky Act.<sup>213</sup>

(U) Goldstone further testified that Kushner, Manafort, and Trump Jr. seemed

visibly uninterested in the Magnitsky Act briefing provided by Veselnitskaya.<sup>214</sup> Manafort, according to Goldstone, "never looked up from his cell phone from the moment we began the meeting until the moment we ended."<sup>215</sup> Manafort and Kushner complained to one another via text message during the meeting that the meeting was a "waste of time."<sup>216</sup> Kushner asked his assistants to call and give him and excuse to leave, which one of them did shortly after the text.<sup>217</sup> At the end of the meeting, Goldstone apologized to Trump Jr. for the "bait-and-switch talk about something which we knew nothing about, which was, again, Russian adoption and the Magnitsky Act."<sup>218</sup>

(U) Kaveladze testified that he received two calls from Aras Agalarov after the meeting. During the second call, Kaveladze explained that the meeting was a "complete loss of time and about nothing."<sup>219</sup> Aras Agalarov and Kaveladze did not discuss the "dirt" on Hillary Clinton.<sup>220</sup> Kaveladze also sent an email to his daughter after the meeting indicating that the "meeting was boring. The Russians did not have any bad info [o]n Hillary"<sup>221</sup>—a reference back to his conversation with Benjaminov, which he had apparently relayed to his daughter. The Committee received no testimony or documentary evidence indicating that the purpose of the meeting was to discuss WikiLeaks, Julian Assange, the hacking of DNC servers, and/or the John Podesta emails.<sup>222</sup>

(U) No witness, including the attendees,



testified that candidate Trump was aware of the meeting prior to its public exposure in June 2017. Steve Bannon, who had been previously quoted as saying “[t]he chances that Don Jr. did not walk [the meeting participants] up to his father’s office is zero,” conceded under oath that he had no evidence to support that claim.<sup>223</sup> The Committee also investigated a public statement made by candidate Trump during a speech after the final Republican primary contests on June 7, 2016, the same day as Trump Jr. exchanged emails with Goldstone regarding meeting attendees and logistics.<sup>224</sup> According to campaign press secretary Hope Hicks, Trump’s publicly stated intent “to give a major speech . . . next week . . . discussing all of the things that have taken place with the Clintons” did not reflect knowledge about the upcoming meeting; instead, it referred to a planned speech “that was an outline of the book *Clinton Cash*,” and was ultimately delivered approximately two weeks later after being delayed by a domestic terrorist attack.<sup>225</sup>

**(U) Finding #33: Donald Trump Jr. briefly met with a Russian government official at the 2016 National Rifle Association annual meeting, but the Committee found no evidence that the two discussed the U.S. presidential election.**

(U) In the weeks leading up to the National Rifle Association’s (NRA) 2016 annual meeting, there were a series of emails sent to a member of the campaign discussing Russian interest in the campaign as it related to the NRA meeting. Despite

the emails’ rhetoric about setting up a “back channel” between the United States and Russian governments, the relevant testimony obtained in the Committee’s interviews showed these email inquiries resulted in a brief meeting between Trump Jr. and a Russian government official that centered on shooting and hunting. It did not focus on the U.S. presidential election.

(U) From May 19-22, 2016, the NRA held its annual meeting and exhibits in Louisville, Kentucky.<sup>226</sup> In an interview with the Committee, Trump Jr. testified he received an invitation from “[v]arious people at the NRA” to attend the 2016 meeting.<sup>227</sup> In addition to Trump Jr.’s invitation, there were several emails sent to [REDACTED] seeking to establish a connection at the NRA meeting between an emissary of the Russian government and candidate Trump.

(U) In the first email, dated May 16, 2016, a business executive emailed [REDACTED] with the possibility of candidate Trump meeting with Alexander Torshin, the Deputy Governor of the Bank of Russia, the country’s central bank.<sup>228</sup> The email mentions an “overture to Mr. Trump from President Putin.”<sup>229</sup> [REDACTED] responds he will be “[w]orking on this first thing in the am.”<sup>230</sup>

(U) [REDACTED] forwarded the email to Manafort, Gates, and Kushner, noting the “interesting request.”<sup>231</sup> [REDACTED] email highlighted the entrepreneur’s request that Torshin “meet with a high level official in our campaign” during the NRA meeting to discuss “an offer he [Torshin] claims to be

carrying from President Putin to meet with DJT." In response to that email, Kushner wrote: "Pass on this. A lot of people come claiming to carry messages. Very few we are able to verify. For now I think we decline such meetings," as well as "[b]e careful."<sup>232</sup> [REDACTED] replied to the executive seeking the meeting: "I've asked about a mtg but we are not able to accommodate it at that event in KY."<sup>233</sup>

(U) In addition to the emails discussing a possible meeting with Torshin, on May 10, 2016, [REDACTED], who had previously approached [REDACTED] about advising a prospective Trump transition,<sup>234</sup> sent [REDACTED] an email about meeting with Russians at the NRA event.<sup>235</sup> The email discusses [REDACTED] purported "back-channel to President Putin's Kremlin," that "Russia is quietly but actively seeking a dialogue with the U.S. that isn't forthcoming under the current administration," and that "the Kremlin believes that the only possibility of a true re-set in this relationship would be with a new Republican White House."<sup>236</sup>

(U) The email goes on to note that "President Putin's emissary" will be at the NRA convention and hopes to make contact with candidate Trump and present Mrs. Trump with a gift.<sup>237</sup> The email discussed Putin's desire to build a relationship with candidate Trump, to include extending an invitation to the Kremlin. The email also asked [REDACTED] to "talk through what has transpired and Sen. Sessions' advice on how to proceed."<sup>238</sup> When asked about this

email in his interview before the Committee, Attorney General Sessions testified he was not aware of this email.<sup>239</sup> [REDACTED] testified that he may have met [REDACTED] once, and did not remember replying to his email.<sup>240</sup>

(U) Although the campaign declined to hold a meeting, Trump Jr. was introduced to Torshin, at the request of an acquaintance, at a restaurant where they were dining separately.<sup>241</sup> During their brief introduction, they spoke about "stuff as it related to shooting and hunting . . . exchanged casual hellos" but did not exchange contact information.<sup>242</sup> In his brief exchange with Torshin and a subsequent exchange with Torshin's assistant, Maria Batina, Trump Jr. testified he did not recall any discussion of the upcoming U.S. presidential election.<sup>243</sup> No other witness provided a contrary recollection to the Committee.

(U) The Committee reviewed several emails discussing a meeting with Russians at the NRA meeting, an attempt to establish a back channel of communication between the U.S. and Russian governments, and a possible meeting between candidate Trump and President Putin. However, the Committee found that all of those email exchanges resulted in just one, brief meeting between Mr. Torshin and the candidate's son that did not include any discussion related to the U.S. election.<sup>244</sup>

(U) Finding #34: The Committee found no evidence that meetings between Trump associates—including Jeff Sessions—and



**official representatives of the Russian government—including Ambassador Kislyak—reflected collusion, coordination, or conspiracy with the Russian government.**

(U) Meetings between U.S. senators and foreign government officials are considered a routine part of the job. However, there have been multiple media articles raising concerns about contacts with former Russian Ambassador to the United States Sergey Kislyak, particularly those involving then-Senator Sessions.

(U) **Mayflower Hotel Speech:** In April 2016, Senator Sessions, an early endorser of Trump and later a key figure during the transition, attended a foreign policy speech by Trump at the Mayflower Hotel in Washington, D.C.<sup>245</sup> Kushner also attended and recalled meeting 20 to 25 guests, including Ambassador Kislyak for the first time.<sup>246</sup> Kushner stated that the conversation between him and Ambassador Kislyak mainly consisted of pleasantries, and concluded with an offer for Kushner to visit the Russian Embassy for lunch, which Kushner never attended.<sup>247</sup>

(U) Attorney General Sessions similarly described a pre-speech reception of maybe 24 people; immediately following the speech, he went to a media stakeout to answer questions about the speech.<sup>248</sup> Attorney General Sessions recalled “no . . . discussions with the [Russian] Ambassador or any other representative from the Russian Government or their surrogate” at

the Mayflower.<sup>249</sup>

(U) **Republican National Convention:** In July 2016, then-Senator Sessions attended the Republican National Convention in Cleveland, Ohio. Because he used his campaign funds to pay for his travel and lodging while in Ohio, his schedule focused primarily on his Senate campaign-related events.<sup>250</sup> For the five days that Sessions was in Cleveland, he attended numerous Trump campaign-related events.<sup>251</sup>

(U) Over 50 ambassadors to the United States also attended a reception associated with the 2016 Republican Convention.<sup>252</sup> Sessions addressed this group of ambassadors, as the keynote speaker, at the Heritage Foundation’s Embassy Row Ambassador’s Buffett Lunch.<sup>253</sup> According to Sessions, his interaction with Ambassador Kislyak following that speech was brief, unexpected, and occurred in the presence of several other people.<sup>254</sup>

(U) J.D. Gordon testified about briefly encountering Kislyak twice at convention events in July 2016, including a brief conversation that occurred during a networking event that was also attended by ██████████<sup>255</sup> ██████████ recalled seeing Gordon and chatting casually with Kislyak at the same event.<sup>256</sup> The Committee found no evidence that these brief public interactions related to the hacking of emails or collusion, coordination, or conspiracy between the Trump campaign and Russia.

(U) **Senate Office Meeting:** On September 8, 2016, Senator Sessions met

Ambassador Kislyak in his Senate office.<sup>257</sup> As a Senator, such meetings in his Capitol Hill office are common. Notes of the meeting taken by Sessions' staff, and provided to the Committee, verified that the approximately 30-minute meeting was official in nature and not related to any role that Senator Sessions held with the Trump campaign.<sup>258</sup> Sessions testified that the conversation mainly revolved around Ukraine, and the two "had a little testy conversation" about Ukraine given Sessions' support for the Ukrainian cause.<sup>259</sup> The Committee's investigation did not uncover anything improper about Senator Sessions' meetings with the Russian ambassador.

**Finding #35: Possible Russian efforts to set up a "back channel" with Trump associates after the election suggest the absence of collusion during the campaign, since the communication associated with collusion would have rendered such a "back channel" unnecessary.**

(U) The Committee investigated meetings during the post-election transition period between Trump associates and Russians—with a focus on individuals who may have been acting as unofficial representatives of Moscow. In December 2016, Kushner met with the head of Russian bank VEB, Sergei Gorkov, at the urging of Russian Ambassador Sergei Kislyak, with whom Kushner and Flynn had met earlier in the month.<sup>260</sup> Kushner took the meeting partly because he had been told Gorkov could provide "insight into what Putin's thoughts were on a potential new

relationship" between Russia and the United States.<sup>261</sup> Kushner testified that the meeting primarily entailed Gorkov telling Kushner about VEB, with which Kushner was entirely unfamiliar, and "that was really the extent of it."<sup>262</sup> Gorkov gave Kushner two gifts, which Kushner registered with the transition.<sup>263</sup>

(U) In January 2017, businessman and former Navy officer [REDACTED] was introduced through Emirati associates to Russian investor Kirill Dmitriev in the Seychelles.<sup>264</sup> [REDACTED] had no official or unofficial role in the transition, but had met twice with Bannon at Trump Tower.<sup>265</sup>

[REDACTED] testified that his meeting with Dmitriev lasted 20-30 minutes and focused on "trade matters," and "how the United States and Russia should be working together to defeat Islamic terrorism."<sup>265</sup>

[REDACTED] stated that he and Dmitriev did not discuss sanctions, the Russian government's "desire to have a relationship with the Trump administration," or "any channel of communications between the United States and Russia."<sup>267</sup> [REDACTED] further stated that he had had "no communications or dealings with [Dmitriev] or any of his colleagues before or after that encounter last January."<sup>268</sup>

(U) The Committee did not find evidence that Kushner or [REDACTED] did anything inappropriate during or following their meetings with Gorkov and Dmitriev. To the extent that one or both meetings reflected an unsuccessful attempt by intermediaries of the Russian government



to set up a “back channel” to the incoming Trump administration, that purpose was not shared with or accepted by Kushner or ██████—and potentially reflected an absence of such channels during the campaign.<sup>269</sup> Kushner, who was connected to Gorkov by Kislyak, asserted that “the fact that we [we]re going through the normal channels during the transition hopefully serves to show that there were no existing channels through the campaign.” Similarly, ██████ noted his meeting with Dmitriev “didn’t happen until . . . more than 2 months after the election. So if there was all this collusion [before the election], why would there even need to be any other followup meetings?”<sup>270</sup>

#### Clinton Campaign

(U) Using a series of intermediaries, the Democratic National Committee (DNC) and Hillary for America (Clinton campaign) paid a research firm to conduct opposition research on candidate Trump and his ties with Russia. As part of this effort, research from numerous purported Russian sources was obtained and provided to the Clinton campaign, thereby constituting indirect, but substantial, links “between Russia and individuals associated with political campaigns” relevant to the 2016 U.S. election.

(U) Fusion GPS (Fusion) is the trade name of a Washington, D.C.-based company, Bean LLC, that conducts research primarily on behalf of corporate clients.<sup>271</sup> According to longtime Wall Street Journal

reporter and Fusion co-founder ██████ Fusion “specialize[s] in finding records and reading things and digesting large volumes of information.”<sup>272</sup> Fusion’s general practice is to “do engagements on a 30-day basis, and at the end of the 30 days we write a report about what we found. . . . And if you think what we told you was interesting and you want more, we can sign up again.”<sup>273</sup> Founded and led by former journalists,<sup>274</sup> Fusion maintains relationships with numerous reporters, and provides information to news outlets on behalf of clients that include law firms, media organizations, and lobbying organizations.<sup>275</sup>

(U) As described below, Fusion was hired in spring 2016 by ██████ ██████, who represented the DNC and the Clinton campaign. Fusion was paid to conduct opposition research on candidate Trump. Fusion subsequently hired Christopher Steele as a sub-contractor to obtain information from sources purported to be current and former Russian government officials. The information Steele collected was reported back to the Clinton campaign via Fusion and ██████<sup>276</sup>

**(U) Finding #36: Prior to conducting opposition research targeting candidate Trump’s business dealings, Fusion GPS conducted research benefitting Russian interests.**

(U) Prior to conducting opposition research targeting candidate Trump’s

business dealings, Fusion conducted research benefitting Russian interests.<sup>277</sup> Specifically, in 2013, Fusion was retained by a law firm to assist with representation of a Russian defendant in a civil forfeiture case arising out of alleged money laundering activities uncovered by the late Sergei Magnitsky (whose name was subsequently given to the U.S. human rights law, the Magnitsky Act).<sup>278</sup> [REDACTED] acknowledged that the Kremlin's interests in the case were aligned with his client and against the U.S. government.<sup>279</sup>

(U) Russian lawyer Natalia Veselnitskaya hired the law firm for which Simpson was working, and that firm retained the services of Russian-American lobbyist Rinat Akhmetshin, both of whom attended a meeting at Trump Tower on June 9, 2016, described in the first part of this chapter.<sup>280</sup> During the litigation, Veselnitskaya received, via the law firm, memoranda summarizing [REDACTED] research.<sup>281</sup> Certain topics—including the Ziff Brothers (a venture capital firm specializing in capital investment)—were the subject of both (1) memoranda Veselnitskaya received from [REDACTED] and (2) the presentation Veselnitskaya made to Trump campaign officials.<sup>282</sup> [REDACTED] acknowledged being with Veselnitskaya at a court hearing in New York on the morning of June 9, 2016, prior to her meeting at Trump Tower.<sup>283</sup> He further recalled having drinks and dinner with her and others, including Akhmetshin, in Washington, D.C. a day or two later.<sup>284</sup> However, he denied

discussing the Trump Tower meeting with her before or after it occurred, and claimed not to have learned about it until 2017.<sup>285</sup>

(U) Finding #37: The [REDACTED] hired Fusion GPS on behalf of the Clinton campaign and the Democratic National Committee to research candidate Trump's Russia ties.

(U) [REDACTED] is longtime counsel to the DNC.<sup>286</sup> [REDACTED] also represented the Clinton campaign, from which it received \$5.6 million in 2015 and 2016.<sup>287</sup> Pursuant to that representation, during the 2016 campaign, "[t]here was an expectation that [REDACTED] would hire the consultants, including research consultants, necessary to enable us to provide services to the campaign."<sup>288</sup>

(U) In approximately March or April 2016,<sup>289</sup> Fusion principals [REDACTED] and [REDACTED] approached [REDACTED] "and indicated that they might be a good fit for doing work to support the legal efforts" of [REDACTED] clients.<sup>290</sup> [REDACTED] testified that Fusion "had been retained . . . by a wealthy Republican . . . to do research on then candidate Trump . . . and thought that if I was going to be looking to hire a consultant to help me advise the campaign on issues relating to Trump, that they would be a good fit."<sup>291</sup> [REDACTED] was looking for a consultant to, among other things, sort through the multitude of public records pertaining to Trump's business dealings.<sup>292</sup> Although he had not previously worked with Fusion, he chose to



hire the company based on its familiarity with Trump's dealings, including "his business holdings, his financial holdings, and the kinds of litigation he had been involved in."<sup>293</sup> [REDACTED] further testified that "[t]hey were recommended . . . [and] thought highly of in the community."<sup>294</sup>

(U) The Committee determined the "wealthy Republican" who funded Fusion's initial Trump Research was [REDACTED]. In September 2015, the *Beacon* retained Fusion to conduct opposition research on Trump.<sup>295</sup> [REDACTED] leadership have publicly stated they "had no knowledge of or connection to the Steele dossier, did not pay for the dossier, and never had contact with, knowledge of, or provided payment for any work performed by Steele."<sup>296</sup> [REDACTED] testified that—based on a careful review of the relevant documents—he had identified "zero overlap in the work product" between the dossier and what Fusion provided.<sup>297</sup>

(U) [REDACTED] sought and received "budget approval to be able to spend money in order for me to retain consultants," from Clinton campaign manager [REDACTED] but did not specifically identify Fusion to [REDACTED].<sup>298</sup> Fusion's Simpson was "definitely aware that [REDACTED] represented the DNC and that they were the client in this matter" based on a general understanding that [REDACTED] represents the DNC.<sup>299</sup> Fusion's expenses, including the hiring of Christopher Steele as a sub-contractor,

were passed on to [REDACTED],<sup>300</sup> and ultimately to the Clinton campaign and DNC.<sup>301</sup> In total, Fusion paid Steele (and charged [REDACTED]) approximately \$160,000; Steele's efforts were part of a larger opposition research project for which [REDACTED] paid Fusion over \$1 million.<sup>302</sup>

(U) [REDACTED] testified that Fusion began its opposition research work by "review[ing] what we had learned over the previous months," presumably including "information about candidate Trump's business ties in Russia," although [REDACTED] had not been aware of Russia-specific research at the time he engaged Fusion.<sup>303</sup> Fusion "began to develop more specific lines of inquiry," and eventually hired Steele, whom [REDACTED] had known since approximately 2009.<sup>304</sup> [REDACTED], signed off on the decision to hire Steele as a sub-contractor in June 2016—around the same time he learned that Fusion was beginning to focus its opposition research on Trump's ties to Russia—but was not aware of Steele's identity until July 2016.<sup>305</sup>

**(U) Finding #38: Christopher Steele claims to have obtained his dossier information second- and third-hand from purported high-placed Russian sources, such as government officials with links to the Kremlin and intelligence services.**

(U) Between June and November 2016, Steele produced sixteen reports for Fusion, which comprise what has become known as the Steele dossier, "concerning Russian efforts to influence the US Presidential

election and links between Russia and Donald Trump.<sup>306</sup> Steele did not travel to Russia to compile these reports.<sup>307</sup> Instead, Simpson stated that “[Steele] hire[d] people who can travel and talk to people and find out what’s going on.”<sup>308</sup>

(U) Of the separate claims the Committee identified within the dossier, almost all are attributable to Russian or Russia-based sources, such as: a “senior Russian government figure,” a “senior Russian leadership figure,” an “official close to [the] Russian Presidential Administration,” a “Kremlin insider,” a “former top Russian officer,” a “senior Russian financial official,” a “senior Russian Foreign Ministry figure,” a “Kremlin official involved in U.S. relations,” and a “former top level Russian intelligence officer still active inside the Kremlin.”<sup>309</sup>

(U) The Committee is concerned with the degree to which the Kremlin may have sought to influence information that was ultimately provided to Steele—through the potential provision of disinformation or otherwise—consistent with its ongoing efforts “to undermine public faith in the US democratic process . . . .”<sup>310</sup> In addition, the vast majority of witnesses the Committee interviewed, including [REDACTED], did not know the identity of Steele’s sources.<sup>311</sup> Steele declined to testify before the Committee, and the two witnesses who claimed to know some of Steele’s sources—Simpson and [REDACTED], a former U.S. Department of State official—declined to identify them.<sup>312</sup>

(U) Finding #39: Christopher Steele’s information from Russian sources was provided directly to Fusion GPS and [REDACTED] and indirectly to the Clinton campaign.

(U) Fusion began receiving written reports from Steele in June 2016.<sup>313</sup> At the same time, Fusion provided updates—approximately weekly and usually orally—to [REDACTED].<sup>314</sup> [REDACTED] recalled receiving some of the information later included in the dossier “maybe late June, early July.”<sup>315</sup> [REDACTED] exchanges with Fusion were not one-way communications: he specifically recalled directing follow-up work on information gathered by Steele.<sup>316</sup> Elias recalled personally being briefed by Steele on his findings during a late September or early October meeting at [REDACTED] office and formed the impression that “the Fusion folks thought it was important that Mr. Steele hear from me directly that I was aware of his work and was appreciative.”<sup>317</sup> The Committee requested [REDACTED] records related to this meeting, but the firm was not able to locate any.<sup>318</sup>

(U) [REDACTED] led regular briefings that contained Steele’s information for senior Clinton campaign staff, which included Clinton campaign manager [REDACTED] and campaign chairman John Podesta.<sup>319</sup> [REDACTED] also began “relaying . . . information received from Fusion GPS to the DNC . . . around . . . convention time.”<sup>320</sup>



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209. HPSCI, Executive Session Interview of Donald Trump, Jr., Dec. 6, 2017.
210. HPSCI, Executive Session Interview of Anatoli Samochornov, Nov. 28, 2017.
211. HPSCI, Executive Session Interview of Ike Kaveladze, Nov. 2, 2017.
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213. HPSCI, Executive Session Interview of Ike Kaveladze, Nov. 2, 2017; HPSCI, Executive Session Interview of Donald Trump, Jr., Dec. 6, 2017; HPSCI, Executive Session Interview of Anatoli Samochornov, Nov. 28, 2017; HPSCI, Executive Session Interview of Jared Kushner, July 25, 2017.
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- 224. Ryan Teague Beckwith, "Read Donald Trump's Subdued Victory Speech After Winning New Jersey," *TIME*, June 8, 2017; Email from Donald Trump Jr to Rob Goldstone, "Re: Russia - Clinton - private and confidential," June 7, 2016. [DJTJRD0469].
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- 227. HPSCI, Executive Session Interview of Donald Trump, Jr., Dec. 6, 2017.
- 228. Email from [REDACTED] to [REDACTED] "Russian backdoor overture and dinner invite," May 16, 2016. [Sessions production: 2016-05-16--Re Russian backdoor overture and dinner invite (36)]
- 229. Email from [REDACTED] to [REDACTED] "Russian backdoor overture and dinner invite," May 16, 2016. [Sessions production: 2016-05-16--Re Russian backdoor overture and dinner invite (36)]
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- 233. Email from [REDACTED] to [REDACTED] "Re: KY Request," May 18, 2016. [Sessions Production: 2016-05-18--Re KY Request]
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- 237. Email from [REDACTED] to [REDACTED] "Kremlin Connection," May 10, 2016. [RD 000078]
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- 246. HPSCI, Executive Session Interview of Jared Kushner, July 25, 2017.
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- 254. HPSCI, Executive Session Interview of Jefferson B. Sessions, Nov. 30, 2017, p. 86 ("I met with him, as I recall, twice. There was an encounter after I made a speech at the Republican Convention. I didn't--didn't know he was going to be there. I spoke to a number of ambassadors and other people and was standing in front of the podium and he and I chatted a bit.")



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- 256. HPSCI, Testimony of [REDACTED] Nov. 2, 2017.
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- 260. HPSCI, Executive Session Interview of Jared Kushner, July 25, 2017.
- 261. HPSCI, Executive Session Interview of Jared Kushner, July 25, 2017.
- 262. HPSCI, Executive Session Interview of Jared Kushner, July 25, 2017.
- 263. HPSCI, Executive Session Interview of Jared Kushner, July 25, 2017.
- 264. HPSCI, Executive Session Interview of [REDACTED] Nov. 30, 2017.
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- 277. HPSCI, Executive Session Interview of [REDACTED] Nov. 14, 2017.
- 278. HPSCI, Executive Session Interview of [REDACTED] Nov. 14, 2017; HPSCI, Executive Session Interview of Rinat Akmetshin, Nov. 13; Joel Schectman and Nathan Layne, "U.S. settles Russian money laundering case," *Reuters*, May 13, 2017.
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- 281. HPSCI, Executive Session Interview of [REDACTED] Nov. 14, 2017.
- 282. HPSCI, Executive Session Interview of [REDACTED] Nov. 14, 2017; HPSCI, Executive Session Interview of Rinat Akhmetshin, Nov. 13, 2017; HPSCI, Executive Session Interview of Ike Kaveladze, Nov. 2, 2017.
- 283. HPSCI, Executive Session Interview of [REDACTED] Nov. 14, 2017.
- 284. HPSCI, Executive Session Interview of [REDACTED] Nov. 14, 2017.
- 285. HPSCI, Executive Session interview of [REDACTED] Nov. 14, 2017.
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- 287. Federal Election Commission, "Hillary for America Disbursements to Perkins Coie from 2015 to 2016", [www.fec.gov](http://www.fec.gov); HPSCI, Executive Session Interview of [REDACTED] Dec. 13, 2017.
- 288. HPSCI, Executive Session Interview of [REDACTED] Dec. 13, 2017.
- 289. HPSCI, Executive Session Interview of [REDACTED] Dec. 13, 2017.
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- 292. HPSCI, Executive Session Interview of [REDACTED] Dec. 13, 2017.
- 293. HPSCI, Executive Session Interview of [REDACTED] Dec. 13, 2017.
- 294. HPSCI, Executive Session Interview of [REDACTED] Dec. 13, 2017.
- 295. HPSCI, Executive Session Interview of [REDACTED] Dec. 12, 2017.
- 296. Matthew Continetti and Michael Goldfarb, "Fusion GPS and the Washington Free Beacon," *Washington Free Beacon*, Oct. 27, 2017.

297. HPSCI, Executive Session Interview of [REDACTED] Dec. 12, 2017.
298. HPSCI, Executive Session Interview of [REDACTED] Dec. 13, 2017.
299. HPSCI, Executive Session Interview of [REDACTED] Nov. 14, 2017.
300. HPSCI, Executive Session Interview of [REDACTED] Nov. 14, 2017.
301. HPSCI, Executive Session Interview of [REDACTED] Dec. 13, 2017.
302. HPSCI, Executive Session Interview of [REDACTED] Nov. 14, 2017; Mark Hosenball, "Ex-British spy \$168,000 for Trump dossier, U.S. firm discloses," *Reuters*, Nov. 1, 2017.
303. HPSCI, Executive Session Interview of [REDACTED] Nov. 14, 2017.
304. HPSCI, Executive Session Interview of [REDACTED] Nov. 14, 2017.
305. HPSCI, Executive Session Interview of [REDACTED] Dec. 13, 2017.
306. *Gubarev et al. v. Orbis et al.*, Defense, (Claim No. HQ17D0413, Queen's Bench Division), Apr. 3, 2017.
307. HPSCI, Executive Session Interview of [REDACTED] Nov. 14, 2017 (stating that, as a known "former undercover British Intelligence officer who worked in Moscow," Steele would not have been able to travel to Russia safely).
308. HPSCI, Executive Session Interview of [REDACTED] Nov. 14, 2017.
309. Ken Bensinger, Miriam Elder, Mark Schoofs, "These Reports Allege Trump Has Deep Ties To Russia," *BuzzFeed News*, Jan. 10, 2017; HPSCI, Executive Session Interview of David J. Kramer," Dec. 19, 2017.
310. ODNI, *Assessing Russian Activities in Recent U.S. Elections*, Jan. 6, 2017.
311. HPSCI, Executive Session Interview of [REDACTED] Dec. 13, 2017.
312. Letter from Robert M. Weinberg to K. Michael Conaway and Adam Schiff, Aug. 21, 2017; HPSCI, Executive Session Interview of Glenn Simpson, Nov. 14, 2017; HPSCI, Executive Session Interview of David J. Kramer, Dec. 19, 2017. The Committee issued a subpoena to Kramer, but Kramer still refused to identify Steele's sources. HPSCI, Executive Session Interview of David J. Kramer, Jan. 10, 2018; Letter from Lawrence S. Robbins to Representative Devin Nunes and Representative Adam Schiff, "Re: December 27, 2017, Subpoena Issued to David Kramer," Jan. 10, 2018.
313. HPSCI, Executive Session Interview of Glenn Simpson," Nov. 14, 2017.
314. HPSCI, Executive Session Interview of Marc Elias, Dec. 13, 2017.
315. HPSCI, Executive Session Interview of Marc Elias, Dec. 13, 2017.
316. HPSCI, Executive Session Interview of Marc Elias, Dec. 13, 2017.
317. HPSCI, Executive Session Interview of Marc Elias, Dec. 13, 2017.
318. Email for Katherine Ruemmler to HPSCI Staff, "RE: Production," Jan. 24, 2018.
319. HPSCI, Executive Session Interview of Jake Sullivan, Dec. 21, 2017.
320. HPSCI, Executive Session Interview of Marc Elias, Dec. 13, 2017; HPSCI, Executive Session Interview of Jake Sullivan, Dec. 21, 2017; Jennifer Palmieri, "The Clinton campaign warned you about Russia. But nobody listened to us," *Washington Post*, Mar. 24, 2017.



## **(U) Chapter 5 - Intelligence Community Assessment Leaks**

*Key Question #4: What possible leaks of classified information took place related to the Intelligence Community's assessment of these matters?*

(U) Leaks of classified information are criminal acts, and have the potential to damage U.S. national security interests, at home and abroad.<sup>1</sup> Even more concerning is that the lives of IC employees or assets may be placed in danger due to unauthorized disclosures of classified information. Finally, when leaks of classified information come from congressional sources, such leaks jeopardize the effective oversight role Congress plays over the IC. Therefore, as part of the Committee's investigation, the Committee reviewed leaks related to the classified ICA on the Russian active measures campaign targeting the 2016 U.S. presidential election, focusing primarily on leaks that occurred between the IC's establishment of the CIA Director's fusion cell [REDACTED] and the publication of the ICA in January 2017.

(U) On January 6, 2017, the DNI released the unclassified ICA. The ICA states that Russia conducted its active measures campaign for the dual purposes of (1) sowing discord in and undermining the U.S. presidential election process, and (2) helping elect Donald J. Trump by denigrating Secretary Hillary Clinton.<sup>2</sup> Unfortunately, the public release of the unclassified version of the ICA was not the first time that the public had seen the IC's various assessments related to the Russian active measures campaign. Although outside the scope of this

chapter, leaks related to the Russian active measures were already happening in 2015 and 2016. For example, there were press reports regarding the hack of the DNC, as well as the potential hacks of pro-Trump and Republican groups.<sup>3</sup> During this time, the Committee carried out a healthy dialogue, which included briefings, with the IC related to these matters as part of its oversight responsibilities.<sup>4</sup>

(U) In addition, this chapter covers leaks of information about IC assessments that were likely classified at the time this information found its way into the press, especially in light of the fact that the leaks reportedly came from government sources. This chapter does not make any determination as to the accuracy or analytic integrity of the information leaked to the press and subsequently produced in the ICA.

**(U) Finding #40: Leaks of classified information regarding Russian intentions to sow discord in the U.S. presidential election began prior to the election day—November 8, 2016.**

(U) The leaks related to Russian intentions to sow discord in the U.S. presidential election took place prior to the November 8, 2016 election, and notably, after the IC's establishment of the fusion cell [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]

Almost a week later on October 7, 2016, the U.S. government formally accused Russia of hacking political institutions, but did not attribute a specific hack to the Russians.<sup>11</sup>

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

(U) At the time of these leaks, the information contained within them was still classified. These leaks of classified information endangered U.S. national security by revealing key information about U.S. intelligence capabilities to its adversaries, including assessments on adversary intentions. The Committee finds the timing of these leaks particularly concerning. These leaks happened during the early stages of the IC's ongoing assessment of Russian active measures, thus permitting adversaries to not only potentially discover U.S. intelligence capabilities, but also provided adver-



saries, including the Russians, the opportunity to thwart or manipulate the IC's ongoing assessment.

(U) Finding #41: Leaks of classified information alleging Russian intentions to help elect candidate Trump increased dramatically after the election day—November 8, 2016.

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

(TS//NF) (U) [REDACTED]

Further, as of December 5, 2016, the administration had not acknowledged any attempt by Moscow to influence the election in favor of candidate Trump.

(TS//NF) (U) However, four days later on December 9, Adam Entous, Ellen Nakashima, and Greg Miller of *The Washington Post* reported that the CIA concluded a new assessment that Russia intervened in the 2016 U.S. presidential election to help candidate Trump win the presidency, rather than for the sole purpose of undermining confidence in the U.S. electoral system.<sup>16</sup> [REDACTED]

[REDACTED]

[REDACTED]

**UNCLASSIFIED**  
**SECRET CIA ASSESSMENT SAYS**  
**RUSSIA WAS TRYING TO HELP**  
**TRUMP WIN WHITE HOUSE**



The U.S. has identified individuals and groups who passed Democratic Party material to Russia.

AP Photo/Chris Wedel

Source: The Washington Post

**UNCLASSIFIED**

[REDACTED]

[REDACTED]

(C/NF) (U) In addition, on December 10, 2016, John Walcott of *Reuters* reported that a U.S. official familiar with the IC's findings stated that as the 2016 U.S. presidential campaign progressed, Russian government officials devoted increasing attention to assisting candidate Trump's efforts to win the election.<sup>21</sup>

[REDACTED]

[REDACTED]





[REDACTED]

(U) It is important to note that Evan Perez, Jim Sciutto, Jake Tapper, and Carl Bernstein of CNN reported on January 12, 2016, that President-elect Trump was briefed on classified information indicating that the Russians have compromising personal or financial information that the Russians could use against President-elect Trump.<sup>39</sup> The Committee's investigation revealed that President-elect Trump was indeed briefed on the contents of the Steele dossier and when questioned by the Committee, former Director of National Intelligence James Clapper admitted that he confirmed the existence of the dossier to the media.<sup>40</sup>

(TS//NF) ~~(S)~~ In reviewing the various leaks both before and after November 8, 2016, a trend becomes evident—prior to the election, leaks of potentially classified information focused on Russia's attempts to sow discord with the U.S. presidential election. [REDACTED]

[REDACTED]

(U) Finding #42: The leaks prior to the classified Intelligence Community Assessment's publication, particularly leaks occurring after the U.S. presidential election, correlate to specific language found in the

**Intelligence Community Assessment.**

(U) During this review, the Committee found that leaks of potentially classified information permeated throughout the media both before and after the November 8, 2016, U.S. presidential election. [REDACTED]

[REDACTED]



Pre-Publication Leaks Associated with the ICA

Article	Quotes in Article that Mirror ICA	Final ICA Findings
<p>"Secret CIA assessment says Russia was trying to help Trump win White House"</p> <ul style="list-style-type: none"> <li>Date: December 9, 2016</li> <li>Outlet: <i>The Washington Post</i></li> </ul>	<p>"The CIA has concluded in a secret assessment that Russia intervened in the 2016 election <i>to help Donald Trump win the presidency</i>, rather than just to undermine confidence in the U.S. electoral system, according to officials briefed on the matter."</p>	<p>Page 1: "We further assess Putin and the Russian Government <i>developed a clear preference for President-Elect Trump.</i>"</p>
<p>"Russian Hackers Acted to Aid Trump in Election, U.S. Says"</p> <ul style="list-style-type: none"> <li>Date: December 9, 2016</li> <li>Outlet: <i>The New York Times</i></li> </ul>	<p>"It is the assessment of the intelligence community that Russia's goal here <i>was to favor one candidate over the other, to help Trump get elected,</i>" said a senior U.S. official briefed on an intelligence presentation made to U.S. senators. "That's the consensus view."</p>	<p>Page 1: "Nonetheless, Putin publicly indicated a <i>preference for President-elect Trump's stated policy to work with Russia</i>, and pro-Kremlin figures spoke highly about what they saw as his Russia-friendly positions on Syria and Ukraine. Putin publicly <i>contrasted the President-elect's approach to Russia with Secretary Clinton's 'aggressive rhetoric.'</i>"</p>
<p>"Russian Hackers Acted to Aid Trump in Election, U.S. Says"</p> <ul style="list-style-type: none"> <li>Date: December 9, 2016</li> <li>Outlet: <i>The New York Times</i></li> </ul>	<p>"We now have high confidence that they hacked the D.N.C. and <i>the R.N.C., and conspicuously released no documents' from the Republican organization</i>, one senior administration official said, referring to the Russians."</p> <p>[REDACTED] or 'A.P.T. 28,' is believed to have created two outlets on the internet, Guccifer 2.0 and DCLeaks, to make Democratic documents public. Many of the documents were also provided to WikiLeaks, which released them over many weeks before the Nov. 8 election."</p>	<p>Page 3: "Russia collected on some Republican-affiliated targets but <i>did not conduct a comparable disclosure campaign.</i>"</p> <p>Page 2: "We assess with high confidence that the [REDACTED] <i>DCLeaks.com, and WikiLeaks to release US victim data</i> obtained in cyber operations publicly and in exclusives to media outlets."</p>

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(U) Finding #43: Continued leaks of classified information have damaged national security and potentially endangered lives.

[REDACTED]

[REDACTED]

(TS//NF)

[REDACTED]

[REDACTED]

(U) Finding #44: Former Director of National Intelligence James Clapper, now a CNN national security analyst, provided inconsistent testimony to the Committee about his contacts with the media, including CNN.

(U) When initially asked about leaks related to the ICA in July 2017, former DNI Clapper flatly denied "discuss[ing] the dossier [compiled by Steele] or any other intelligence related to Russia hacking of the 2016 election with journalists."<sup>45</sup> Clapper subsequently acknowledged discussing the "dossier with CNN journalist Jake Tapper," and admitted that he might have spoken with other journalists about the same topic.<sup>45</sup> Clapper's discussion with Tapper took place in early January 2017, around the time IC leaders briefed President Obama and President-elect Trump, on "the Christopher Steele information," a two-page summary of which was "enclosed in" the highly-classified version of the ICA.<sup>47</sup>

(U) On January 10, 2017, CNN published an article by Tapper and others, which

claimed that "classified documents presented last week to President Obama and President-elect Trump included allegations . . . about Mr. Trump" that were (1) "presented in a two-page synopsis . . . appended to a report on Russian interference in the 2016 election" and (2) derived from "memos compiled by a former British intelligence operative."<sup>48</sup> Those claims were sourced to "multiple U.S. officials with direct knowledge of the briefings."<sup>49</sup> The next day, Clapper issued a statement describing a call with President-elect Trump in which Clapper "expressed my profound dismay at the leaks that have been appearing the in press" and "emphasized . . . that I do not believe the leaks came from within the IC."<sup>50</sup>

ty analyst.<sup>51</sup>

(U) The Committee assesses that leaks to CNN about the dossier were especially significant, since CNN's report "that a two-page synopsis of the report was given to President Obama and Trump" was the proximate cause of *BuzzFeed News'* decision to publish the dossier for the first time just a few hours later.<sup>51</sup> Until that point, the dossier had been "circulating among elected official, intelligence agents, and journalists," but remained unpublished.<sup>52</sup> As the accompanying article explained, "[n]ow BuzzFeed News is publishing the full document so that Americans can make up their own minds about allegations about the president-elect that have circulated at the highest levels of government."<sup>53</sup>

(U) In approximately early August 2017, shortly after his testimony to the Committee, Clapper joined CNN as a national securi-



1. Espionage Act of 1917 (codified as amended at 18 U.S.C. §§ 793-798).
2. ODNI, *Assessing Russian Activities and Intentions in Recent US Elections*, Jan. 6, 2017.
3. Ellen Nakashima, "Russian Government Hackers Penetrated DNC, Stole Opposition Research on Trump," *Washington Post*, June 14, 2016; Joseph Menn, Mark Hosenball, and John Walcott, "Hackers Targeted Trump Campaign, Republican Party Groups: Sources," *Reuters*, Aug. 19, 2016.
4. HPSCI, Staff Briefing on Cyber Targeting of Political Parties, June 14, 2016; HPSCI, Staff Briefing on Wikileaks and Hacking of Campaign Systems, Aug. 3, 2016; HPSCI, Member Briefing on Russian Cyber Activities, Sept. 6, 2016; Gang of 8 Briefing, "Russian Cyber Activities," Sept. 8, 2016.
5. [REDACTED]
6. [REDACTED]
7. [REDACTED]
8. [REDACTED]
9. [REDACTED]
10. [REDACTED]
11. DHS and ODNI, "Joint Statement from the Department of Homeland Security and Office of the Director of National Intelligence on Election Security," Oct. 7, 2016.
12. [REDACTED]
13. [REDACTED]
14. [REDACTED]
15. [REDACTED]
16. Adam Entous, Ellen Nakashima, and Greg Miller, "Secret CIA Assessment Says Russia Was Trying to Help Trump Win White House," *Washington Post*, Dec. 9, 2016.
17. [REDACTED]
18. [REDACTED]
19. [REDACTED]
20. [REDACTED]
21. John Walcott, "Russia intervened to help Trump win election: intelligence officials," *Reuters*, Dec. 10, 2016.
22. [REDACTED]
23. [REDACTED]
24. [REDACTED]
25. [REDACTED]
26. [REDACTED]
27. [REDACTED]
28. [REDACTED]
29. [REDACTED]
30. [REDACTED]
31. [REDACTED]

- 32. [REDACTED]
- 33. [REDACTED]
- 34. [REDACTED]
- 35. [REDACTED]
- 36. [REDACTED]
- 37. [REDACTED]
- 38. [REDACTED]

- 39. Evan Perez, Jim Sciutto, Jake Tapper, and Carl Bernstein, "Intel chiefs presented Trump with claims of Russian efforts to compromise him," *CNN News*, Jan. 12, 2016.
- 40. HPSCI, Executive Session Interview of James Clapper, July 17, 2017.
- 41. [REDACTED]
- 42. [REDACTED]
- 43. [REDACTED]
- 44. [REDACTED]
- 45. HPSCI, Executive Session Interview of James Clapper, July 17, 2017.
- 46. HPSCI, Executive Session Interview of James Clapper, July 17, 2017. Regarding his communication with Tapper about the dossier, Clapper stated: "I don't know exactly the sequence there, but it was pretty close to when we briefed it and when it was out all over the place. The media had it by the way. We were kind of behind the power curve, because the media, many media outlets that I understood had that, had the dossier for some time, as did people on the Hill."
- 47. HPSCI, Executive Session Interview of James Clapper, July 17, 2017. Former CIA Director Brennan testified publicly that the dossier was "not in any way used as a basis for the Intelligence Community Assessment." HPSCI, Russian Active Measures During the 2016 Election Campaign, May 23, 2017. However, NSA Director Rogers clarified that, in late December 2016, a two-page summary of the Steele dossier was "added" as an "Appendix to the ICA draft," and that his consideration of the Appendix was "part of the overall ICA review/approval Process." Letter from Michael S. Rogers to the Honorable Devin Nunes, Mar. 5, 2018. See also Evan Perez, "Biden confirms Obama, VP were briefed on unsubstantiated claims against Trump," *CNN*, Jan. 12, 2018.
- 48. Evan Perez, Jim Sciutto, Jake Tapper, and Carl Bernstein, "Intel chiefs presented Trump with claims of Russian efforts to compromise him," *CNN*, Jan. 12, 2017; Twitter, @cnnbrk, Jan. 10, 2017, 2:13 PM (reflecting the story's initial publication time).
- 49. Evan Perez, Jim Sciutto, Jake Tapper, and Carl Bernstein, "Intel chiefs presented Trump with claims of Russian efforts to compromise him," *CNN*, Jan. 12, 2017.
- 50. ODNI, "DNI Clapper Statement on Conversation with President-elect Trump," Jan. 11, 2017.
- 51. Ken Bensinger, Miriam Elder, Mark Schoofs, "These Reports Allege Trump Has Deep Ties To Russia," *BuzzFeed News*, Jan. 10, 2017.
- 52. Miriam Elder, Mark Schoofs, "These Reports Allege Trump Has Deep Ties To Russia," *BuzzFeed News*, Jan. 10, 2017 ("originally posted . . . at 6:20 p.m.).
- 53. Ken Bensinger, Miriam Elder, Mark Schoofs, "These Reports Allege Trump Has Deep Ties To Russia," *BuzzFeed News*, Jan. 10, 2017.
- 54. Transcript, "President Trump Takes Working Vacation; Analysts Examine President's Recent Poll Numbers," *CNN*, Aug. 7, 2017 ("Joining us now to talk more about this is CNN's new national security analyst, James Clapper.") .



## (U) Chapter 6 - Summary of Related Committee Oversight Efforts

(U) During the course of the Committee's investigation into Russian active measures targeting the 2016 U.S. presidential election, the Committee identified several issues within its jurisdiction that required additional attention and oversight outside of the broader investigation.

### Sufficiency of "Unmasking" Procedures

(U) In March 2017, the Committee became aware of senior Obama Administration officials' requests for U.S. person identities related to President-elect Trump's transition team. These U.S. person identities were previously redacted in IC reporting. The Committee initiated its investigation of the process for requesting identities, colloquially referred to as "unmasking," to determine the sufficiency of existing policies and procedures related to the release of U.S. person identities. As a result, the Committee recognized gaps in the "unmasking" processes, including the lack of IC-wide standards related to the justification for requesting U.S. person identity information. Therefore, the Committee's findings related to these processes necessitated an immediate change in policy.

(U) The Committee believed that the IC should use specific procedures related to the "unmasking" of U.S. person identities in IC reporting, including additional review requirements for "unmasking" presidential transition team officials during a presidential transition.<sup>1</sup> The Committee felt that a

change in policy was necessary for the IC to protect U.S. person privacy and the sanctity of the peaceful transition of presidential administrations, all while resulting in no operational impact. As part of negotiations of the FISA Amendments Act of 2017, DNI Coats and the White House agreed to develop a new IC-wide policy for handling "unmasking" requests. Therefore, on January 11, 2018, DNI Coats signed Intelligence Community Policy Guidance 107.1 (see Appendix D), which includes requirements for:

- IC element heads or designee approval for requests for U.S. person identity information;
- Documentation for names or titles of individuals who will receive the U.S. person identify information;
- A fact-based justification for each U.S. person identity request; and
- IC element General Counsel concurrence for U.S. person identity requests that relate to Presidential transition team members prior to those identities being approved for release.

[REDACTED]

(U) Using a series of intermediaries, the DNC and Hillary for America (Clinton campaign) paid a research firm to conduct opposition research on candidate Trump and his ties with Russia. Fusion GPS (Fusion) is the trade name of a Washington, D.C.-based company that conducts research primarily

on behalf of corporate clients.<sup>2</sup> Marc Elias, chair of Perkins Coie's election law practice who represented the DNC and the Clinton campaign, hired Fusion in spring 2016 and paid Fusion \$1 million to conduct opposition research on candidate Trump. Fusion subsequently hired former British Secret Intelligence Service officer Christopher Steele for \$160,000 to obtain information on candidate Trump via a Russia-based primary sub-source and numerous sub-sub-sources network who were purported to be current and former Russian government officials. The information Steele collected was reported back through a series of memos to Fusion and Perkins Coie. Steele produced sixteen memos, which comprise what has become known as the Steele dossier.<sup>3</sup>

(U) By the end of September 2016—in addition to Fusion and Perkins Coie—Steele provided the information in the Steele dossier to the DOJ, Department of State, numerous press outlets, and the FBI. [REDACTED]

[REDACTED]

[REDACTED]

(U) After uncovering this information, the Committee voted to publicly release two memos, one written by the Majority on January 18, 2018 (see Appendix E) and another written by the Minority on January 29, 2018 (see Appendix F). In addition to the Committee's oversight of this matter, the Senate Judiciary Committee identified the same issues in a criminal referral sent by Chairman Grassley and Senator Graham to the DOJ on January 4, 2018, describing Christopher Steele's exploits in detail (see Appendix G).

(U) Ongoing lines of effort include (1) continued oversight of DOJ and FBI (see Appendix H for relevant correspondence); (2) inquiries into the State Department's handling of information from Steele, including the dossier;<sup>4</sup> and (3) post-election anti-Trump research by Steele and/or Fusion GPS.<sup>5</sup>

1. H.R. 4478, § 207, 115<sup>th</sup> Cong.  
2. HPSCI, "Executive Session Interview of Glenn Simpson," Nov. 14, 2017.  
3. The dossier; however, has no fixed composition. The version published by BuzzFeed does not necessarily entirely correspond with documents provided to other parties.



4. Former State Department official [REDACTED] has stated publicly that, over a period of approximately two years, he provided over "100 of Steele's reports with the Russia experts at the State Department," including Assistant Secretary of State Victoria Nuland. In September 2016, Winer was personally briefed by Steele on the dossier, and shared a two-page summary with Nuland, who ensured that Secretary of State John Kerry was made aware of Steele's information. Additionally, [REDACTED] received from Clinton associate [REDACTED] information collected by an individual named [REDACTED] Shearer which "alleged the Russians had compromising information on Trump of a sexual and financial nature." Winer shared with [REDACTED] information with Steele, who provided it to the FBI. [REDACTED], "Devin Nunes is investigating me. Here's the truth.," *Washington Post*, Feb. 8, 2018; Susan B. Glasser, "Victoria Nuland: The Full Transcript," *POLITICO*, Feb. 5, 2018; Appendix G. The Committee believes that additional State Department officials were aware of Steele's efforts in 2016.
5. [REDACTED] who currently leads "a research and investigatory advisory" called the Penn Quarter Group (PQG), is a former employee of The Daschle Group, U.S. Senate Select Committee on Intelligence (SSCI), and FBI; while at SSCI, he served as the "chief author" of "The Committee Study of the Central Intelligence Agency's Detention and Interrogation Program." The Penn Quarter Group, "Our Leadership," [theqg.com/team/leadership](http://theqg.com/team/leadership); LinkedIn, [REDACTED] <https://www.linkedin.com/in/danieljones>. In late March 2017, Jones met with FBI regarding PQG, which he described as "exposing foreign influence in Western elections." [REDACTED] told FBI that PQG was being funded by 7 to 10 wealthy donors located primarily in New York and California, who provided approximately \$50 million. [REDACTED] further stated that PQG had secured the services of Steele, his associate [REDACTED], and Fusion GPS to continue exposing Russian interference in the 2016 U.S. Presidential election. [REDACTED] planned to share the information he obtained with policymakers on Capitol Hill and with the press, and also offered to provide PQG's entire holdings to the FBI. FBI, [REDACTED] FD-302, Mar. 28, 2017.

## (U) Chapter 7 - Conclusions and Recommendations

### Russian Influence Campaigns in Europe

(U) For at least the last decade, Russia has aggressively engaged in an information war against the West. The Kremlin takes advantage of the openness, freedom of expression, and respect for legal norms enjoyed in Western democracies by conducting targeted, multi-faceted influence operations against its adversaries. Each influence campaign is unique to the populace, media environment, and internal dynamic of the country being targeted.

(U) The factors that make Russian operations effective also make them difficult to counter. Nonetheless, countries throughout the West are taking a variety of actions to impede, counter, and where possible, eliminate Russian influence operations.

(U) The vast majority of Russian tactics share a common denominator: proliferation through mass media. Therefore, this chapter's recommendations primarily focus on ways to degrade the impact of nefarious media activities and make them more difficult to conduct.

**(U) Recommendation #1: European governments, non-governmental organizations, businesses, think tanks, and academia should strengthen legal and regulatory environments, promote media pluralism, build professional media associations, and improve the financial sustainability of legitimate news outlets.**

(U) Russia exploits free media spaces and open democracies through a network of Russian state-owned news outlets and media platforms. Those platforms amplify pro-Russian views in Russian-funded and local media, provoke doubt and disagreement, and propagate false news stories. In many Eastern European and Baltic countries, local, independent media outlets often operate with extremely limited resources, limiting their ability to acquire and produce high-quality content. In contrast, the high production value of Russia-owned content presents an attractive alternative. Russian intelligence services or their agents of influence also purchase, invest in, or partner with existing TV and radio channels, providing editorialized content for redistribution. Furthermore, Russian propaganda is occasionally re-broadcast by legitimate news outlets.

(U) Strengthening legal and regulatory environments, promoting media pluralism, building professional media associations, and improving the financial sustainability of legitimate news outlets will help to: increase access to legitimate news reporting, improve production quality and financial sustainability of local media, and professionalize journalists.

(U) Countries that contain sizable Russian-speaking populations are more vulnerable to the effects of media-enabled Russian information operations. As described



above, for many of these populations, Russian media saturates local markets, providing few alternatives for news and entertainment and non-Russian editorial viewpoints

(U) For countries with large Russian-speaking populations, strengthening legitimate Russian-language broadcasters and independent media outlets that disseminate fact-based content would provide both balance to the media space and more viewing options for residents of those countries.

**(U) Recommendation #2: European governments, non-governmental organizations, businesses, think tanks, and academia should implement and encourage multi-pronged, country-wide efforts by both public and private entities to combat Russian propaganda, technical, and cyber operations.**

(U) Russia utilizes a whole-of-government approach in its information operations, mobilizing a variety of tools to achieve its goals. From hacking of government networks, think tanks, and universities to spreading propaganda via social media, Russia's tentacles are many and far reaching.

(U) It is therefore imperative that Western nations implement country-wide efforts to educate its populations and inoculate their governments, media outlets, and other organizations from Russian influence campaigns. To do this, Western nations should encourage increased partnership between public and private entities in order to com-

bat Russian information, technical, and cyber operations.

**(U) Recommendation #3: European governments, non-governmental organizations, businesses, think tanks, and academia should implement more stringent cyber security practices, such as multifactor authentication and encryption of sensitive data, as well as educating workforces on basic cyber security topics and best practices.**

(U) In the last decade, Russian cyber operations have targeted governments, militaries, industrial control systems, businesses, think tanks, and universities worldwide. While Russian intelligence services can employ extremely sophisticated means for gaining access to sensitive data, often simple tactics such as spear phishing can prove just as effective.

(U) Given that cyber operations are relatively low risk/high reward, difficult to attribute, and even harder to consistently combat, it is likely that Russia will continue to utilize this tactic in its influence campaigns. Network defenses have to be right 100% of the time; a cyber intruder only has to be right once. Therefore, it is imperative that governments, NGOs, businesses, think tanks, and academia invest more resources in cyber security defenses, implement more stringent cyber security practices, and conduct regular workforce education and training on these topics.

**(U) Recommendation #4: European govern-**

ments should look to long-term solutions to lessen economic dependence on Russia.

(U) Russia utilizes economic ties to its advantage. Economic vulnerability – such as reliance on Russia for trade or energy – can be leveraged to change behavior, send a message of displeasure, or inflict punishment. This is especially true for smaller countries within Russia’s periphery, such as Moldova, where Russia is among their largest trading partners. Yet even large, economically secure countries like Germany depend on Russia for a large percentage of its energy needs.

(U) The United States should look for opportunities to lessen European countries’ economic dependence on Russia. Exploring alternative sources of energy and diversifying trade relationships would diminish one of Russia’s tools for imposing influence on its neighbors.

#### Russia Attacks the United States & America Reacts

(U) The Committee’s findings concerning the Russian government’s malign influence campaign during the 2016 U.S. presidential election are largely consistent with the facts outlined in the ICA. The Russian effort was multifaceted, persistent, and effective in sowing division. The effort included cyber operations (hacking), the use of social media, the creation of automated accounts and fake cyber personas, the use of third party intermediaries, and state-run media.

[REDACTED]

[REDACTED]

[REDACTED]

(U) Evidence reviewed by the Committee also shows that the Russian government and its proxies used social media to advance Russia’s malign interests. While



[REDACTED]

these efforts were limited – some even came after Election Day – they were effective at sowing divisions within American society and promoting false information.

(U) America’s reaction to the Russian active measures campaign consisted of a whole of government response, with various activities conducted by the IC, law enforcement, and policy makers. Despite arguably the best of intentions in addressing the Russian cyber menace before and during the 2016 election cycle, the Executive Branch’s response fell short of deterring the Russians from conducting such activity in the future.

(U) After analyzing the Executive Branch’s responses to the active measure campaign, the Committee identified various gaps in current law and policy that must be addressed in order to help protect U.S. election systems and increase the efficacy of victim notifications in the future. In addition, the Executive Branch must diligently inform U.S. presidential campaigns in the future of counterintelligence threats, to the extent consistent with national security and law enforcement equities.

(U) Recommendation #5: Congress should identify options available to the private sector and federal government that would address the social media vulnerabilities exploited by the Russian government.

(U) The exploitation of social media platforms by the Russian government for malign purposes demonstrated a significant

vulnerability. The response of social media platforms to this threat should be examined closely and evaluated against ongoing threats. Furthermore, social media platforms should consider implementing methods to help counter malign foreign activity.

(U) Recommendation #6: Congress should consider updating the Foreign Intelligence Surveillance Act to cover malicious international cyber actors.

(U) As part of the Committee’s initial FISA Amendments Act reauthorization discussions in 2017, the Committee sought to address the changing threat environment as it relates to malicious cyber activity threatening the U.S. national security. Given the difficulty in attributing a specific cyber actor, the lines between independent hacker and government cyber operator are often blurred. U.S. adversaries are consistently attempting to obfuscate their identity and location in order to evade detection. Unfortunately, current national security authorities are inadequate to counter the growing cyber threat.

[REDACTED]

[REDACTED]

[REDACTED]

(U) Unfortunately, the proposed addition to the FISA "foreign power" definition did not make it into the final version of the FISA Amendments Act of 2017 given concerns that such a designation would dilute the key distinction between two different legal purposes: intelligence collection and law enforcement. This concern, while understandable, fails to take into account the changing threat environment, as evidenced by Russian cyber actors, such as the Internet Research Agency, that attempted to meddle in the 2016 U.S. presidential elections.

(U) The Committee renews its call for Congress to update the definition of "foreign power" and "agent of foreign power" in FISA to account for entities engaged in international malicious cyber activity that threatens the national defense or security of the United States. Adding this new entity to the definition of "foreign power" would permit the IC to target international cyber groups without having to connect that group to a foreign government or terrorist organization, so long as the cyber entity is threatening U.S. national security or defense. Such an addition provides the IC with much

needed flexibility and will help keep the United States ahead of its adversaries.

(U) Recommendation #7: The Federal Bureau of Investigation should improve cyberattack victim notification.

(U) When a state-sponsored cyberattack is directed against U.S. critical infrastructure or systems related to national elections, it is essential for the appropriate federal officials to work quickly to both understand the nature of the threat and aid the victim's defense.

[REDACTED]

(U) Although the FBI maintained an ongoing dialogue with the DNC related to the Russian intrusions, the engagement remained at the working level. These interactions continued for months, despite no signs of effective mediation to the problem. In

[REDACTED]

Director Comey testified that, had he known at the time the seriousness of the problem, he would have "walked over



[REDACTED]

there" himself.

[REDACTED]

{U} On the other side of the notification process, the Committee found that cyberattack victim organizations did not always grasp the information conveyed by the FBI, even when that information was reasonably clear. As a result of both government- and private-sector failures, Russian intelligence agencies were afforded critical time on breached systems. During this time, extensive amounts of data were stolen for later use as part of Russia's malign influence campaign.

{U} While the DNC failed to handle the intrusions with the level of seriousness it deserved—given the severity and national security implications of the particular intrusion sets—the FBI should have engaged more vigorously at the senior management level. The FBI cannot, and should not, force a victim of a malicious cyber event to take specific remedial measures. However, the FBI should update its internal processes to make it clear that if a victim is neither willing nor able to take remedial measures in the event of a significant national security cyber event, FBI leadership should contact the victim and engage at the leadership lev-

el.

{U} One way to implement these procedures is to provide specific guidance to FBI agents conducting victim notifications as to the circumstances under which the agent should elevate the situation. Additionally, if the cyber intrusion is attributed to a foreign government entity and the victim is a political party or campaign, FBI senior management should be responsible for victim engagement immediately.

{U} The Committee therefore recommends that notifications associated with state-sponsored cyberattacks should be conducted as soon as possible, and at the highest levels of the victim organization. If intelligence sources and methods are threatened by dissemination of information, the IC should work with the Department of Homeland Security (DHS) to provide specific recommendations on what actions can be taken by system owners to defend their networks from the state-actor. The DHS and IC should designate personnel and resources to carry out this task and should establish a triage system to prioritize tasking during periods of high demand.

{U} Recommendation #8: Threats identified by the Intelligence Community to state and local elections infrastructure should be immediately briefed to appropriate state and local officials. When threats are identified, the federal government should conduct an expedited declassification review to ensure that the threat information can reach all

[REDACTED]

necessary state and local officials in a timely manner.

(U) The Committee found insufficient information sharing between the federal government and state election officials in 2016 regarding cybersecurity threats to federal elections. The Committee has attempted to address this deficiency in the FY 2018 Intelligence Authorization Act (IAA).

(U) Section 502 of the House-passed IAA would require the Director of National Intelligence (DNI), in coordination with the Undersecretary of Homeland Security for Intelligence and Analysis and the FBI Director, to post on the internet an advisory report on foreign counterintelligence and cybersecurity threats to election campaigns for federal offices.

(U) The provision also allows the FBI and DHS to make available additional information to appropriate representatives of any campaign for federal office if those agencies determine that such campaign is subject to a heightened foreign counterintelligence or cybersecurity threat.

(U) The Committee has seen some recent improvement in this area on a general level. In February 2018, the Office of the Director of National Intelligence, FBI, and DHS held a classified briefing for election officials of all 50 states.

**(U) Recommendation #9: The Secretary of Homeland Security should provide certain designated state and local election officials appropriate security clearances to enable**

those officials to respond to election-related threats.

(U) Even if all parties recognize the interest in sharing information, the classification—or even the knowledge of the existence—of a threat may impair timely sharing with state and local election officials. Consistent with the need to protect sources and methods, the Secretary of Homeland Security should provide certain state and local election officials with necessary security clearances in order to share information.

(U) The Senate Select Committee on Intelligence-passed FY 2018 IAA also attempted to address this issue. Specifically, Section 402 of the IAA would require the DNI to support the Under Secretary of Homeland Security for Intelligence and Analysis and any other DHS official in sponsoring a security clearance up to the top secret level for each eligible chief election official of a state. In addition, the DNI may issue interim clearances to a chief election official for the purposes of receiving appropriate classified information regarding cybersecurity threats to election systems.

**(U) Recommendation #10: Significant threats to U.S. elections identified by the Intelligence Community, including cyberattacks directed at political organizations, should be immediately reported to the congressional intelligence committees.**

(U) The House and Senate Intelligence Committees should be informed whenever the IC determines with medium confidence



that a significant cyber intrusion or active measures campaign by foreign actors is intended to influence an upcoming election for any federal office. Accordingly, the Committee recommends that the FBI Director, the DNI, and the Secretary of Homeland Security jointly provide a briefing to the Congressional intelligence committees no later than 14 days after a determination of a significant cyber intrusion.

**(U) Recommendation #11: Congress should encourage the adoption of National Institute of Standards and Technology cyber security standards, such as those adopted by the Elections Assistance Commission, by providing federal resources to state and local governments to facilitate such adoption. Funds should be tied to the adoption and certification of elections systems to appropriate standards.**

**(U)** Election systems are owned and operated by state and local governments. Their acquisition and installation is costly and recapitalization is infrequent.

**(U)** The federal government largely operates within the limits of establishing voluntary standards through NIST, providing technical assistance and sharing threat information.

**(U)** NIST is working with state and local election officials to develop further enhancements to election agencies' system security.

**(U)** The adoption of new standards may involve system replacement, particularly for

aging systems. To encourage adoption and in recognition of the federal government's responsibility to protect the nation against foreign threats, the Congress should consider providing significantly more resources to state and local governments. These investments could be tied to appropriate enhancements in election system security.

**(U) Recommendation #12: Congress should consider additional funding for the National Institute of Standards and Technology to enable better outreach to state and local governments.**

**(U)** With additional resources, NIST could host more frequent engagements around the United States to promote the adoption of new standards and to provide more technical support to state and local officials. Furthermore, separately identifying the budget for this activity within the NIST would further convey the importance of this effort and allow Congress to more closely track progress.

**(U) Recommendation #13: Congress should consider a one-time grant to state and local election agencies to conduct a risk assessment of those agencies' computer systems.**

**(U)** Because voting is administered at the state and local level, even for federal candidate elections, there is a patchwork of electronic voting systems. In addition, those varied systems are not subject to consistent maintenance and replacement regimes.

**(U)** Congress should consider allocating

funds to be transferred to state and local election agencies to conduct a risk assessment of their systems. Doing this would, the Committee believes, further demonstrate the need for the implementation of the NIST cyber security standards for election agencies.

**(U) Recommendation #14: Congress should consider strengthening the Help America Vote Act of 2002 to ensure that both state-wide voter registration and tabulation systems are better protected from foreign cyber threats.**

[REDACTED]

[REDACTED]

[REDACTED]

(U) As noted above, DHS Secretary Jeh Johnson designated U.S. election systems as critical infrastructure on January 6, 2017, which was one day after the release of the classified ICA and the same day as the release of the unclassified version. By labeling election systems as critical infrastructure, DHS can “prioritize cybersecurity assistance” for those who request it, as well as provide election systems the same international legal protections afforded to other critical infrastructure. Implementation of such a designation takes time. As of September 1, 2017, the U.S. Election Assistance Commission reported that the election critical infrastructure subsector plans were progressing, in hopes of finalization in time for the 2018 elections. The Committee applauds this designation because it helps address the threats to the nation’s voting infrastructure.

(U) However, as articulated in recent news reports, even with election systems designated as critical infrastructure, the DHS “risk and vulnerability” assessments take time and resources, and there appears to be a lengthy wait list. Therefore, in preparing for the 2018 midterm elections, DHS should continue to work with the states on prioritizing these assessments for election systems – and other stakeholders must do more.

**(U) Recommendation #15: The Department**



of Homeland Security should provide the owner or operator of any electronic election infrastructure affected by any significant foreign cyber intrusion with a briefing and include steps that may be taken to mitigate such intrusions.

(U) The Committee found that commercial providers of electronic election infrastructure were not informed of foreign cyber intrusions to their systems. While the IC and federal government may be aware of malicious cyber activity targeting election systems, the information is of little value if appropriate threat information cannot be shared with the owners and operators of affected systems. Accordingly, the Committee recommends that DHS provide a briefing and mitigation steps to the owner or operator of election infrastructure systems targeting by a foreign cyber intrusion.

(U) In addition, DHS has offered state and local governments a network monitoring tool that alerts election system operators about known foreign threats using information obtained by the IC. Not all states have adopted this tool.

**(U) Recommendation #16: State and local governments should be encouraged to establish redundancies that are not dependent on current elections infrastructure, such as a mechanism that retains individual vote records, ensuring the integrity of the vote in the event of a compromise of voting infrastructure due to a foreign cyberattack. An example of such a redun-**

dancy is a contemporaneously created paper record reflecting the voter's selections.

(U) The vulnerability of state and local election infrastructure has been well documented. These systems, which are not frequently updated or replaced, are not developed to defend against state-sponsored cyber threats. The fact that voting machines themselves, as well as tabulation systems, are not directly connected to the internet does not offer adequate security. Rather, it can create a false sense of security.

(U) To help protect the integrity of the process, state and local election authorities should consider building in additional redundancies to ensure an audit trail in the event of a compromise of the electronic voting systems. An example of this is a contemporaneously printed record of votes that is securely stored at the polling place and transported to the relevant election office at the end of Election Day. The Committee is mindful of the reason most jurisdictions replaced the paper ballot, but building in a redundancy using a paper record of a vote will help guard against the potential for manipulation of voting results in the event of a breach of the electronic voting machines.

**(U) Recommendation #17: While it is important to implement lessons learned from the Executive Branch's response, Congress should not hamper the Executive Branch's ability to use discretion in responding to a**

[REDACTED]

particular foreign threat.

(U) The Executive Branch's response to the 2016 Russian active measures campaign was neither timely nor effective. As discussed above, the Executive Branch did not publicly attribute Russian attempts to hack into various political institutions or compromise emails of U.S. people until October 7, 2016—roughly one month before the 2016 U.S. presidential election. The Executive Branch also waited to issue sanctions against Russia, expel Russian diplomats, and close Russian diplomatic facilities until December 29, 2016. Further, DHS did not designate U.S. election systems as critical infrastructure until January 6, 2017, which was two months after the 2016 U.S. presidential election. While the previous administration made attempts in diplomatic channels to dissuade Russia from its ongoing activities, such attempts apparently fell on deaf ears.

(U) However, despite the fact that the Executive Branch's remedial actions were arguably too little too late, any efforts by Congress to introduce certain legislative "solutions" are misguided. The President is the primary recipient of the intelligence produced by the IC, as well as the individual constitutionally empowered to command the armed forces of the United States. As such, if a foreign government conducts active measures targeting U.S. elections in the future, the Executive Branch should have the ability to craft a response based on the intelligence known at the time of the interference and, if necessary, the readiness of

U.S. military forces. These are variables that the Congress cannot possibly anticipate in drafting potential legislation. Therefore, despite potential calls from both Democrats and Republicans to legislate the threshold necessary to trigger attribution or reaction by the President in the wake of foreign hostilities, the Committee urges Congress not to hamper the Executive Branch's role in responding to foreign threats.

**(U) Recommendation #18: Congress should consider repealing the Logan Act.**

(U) Congress passed the Logan Act and President Adams signed it into law on January 30, 1799. Broadly stated, the Logan Act prohibits U.S. citizens to influence any foreign government vis-à-vis any disputes that government may have with the United States. It provides a punishment of a fine and three years' imprisonment.

(U) Over the course of the Act's more-than-200-year history, there has never been a conviction for its violation, and there have only been a handful of indictments that never reached trial.

(U) Despite its demonstrated disuse, the law has gained occasional congressional interest. In 1978, Senator Ted Kennedy unsuccessfully sought to remove the Logan Act. In 1980, Congressman and former House Intelligence Committee Chairman, Anthony Beilenson, introduced legislation to repeal the Logan Act, stating that the primary use of the Logan Act was to provide for "periodic calls for prosecution motivated by



opposition to the cause being expressed instead of actual concern about treason.” In 1994, Congress updated the Logan Act by changing the \$5,000 fine to “shall be fined under this title.”

(U) Due to the lack of prosecutions under the Logan Act and despite the various apparent violations since its passage, Congress should evaluate the law’s utility and consider repealing it.

**(U) Recommendation #19: All U.S. presidential campaigns should receive unclassified counterintelligence briefings at an appropriate time prior to a nomination convention.**

(U) During the 2016 U.S. presidential election campaign, candidate Trump and candidate Clinton did not receive a classified intelligence briefing until after their respective nomination conventions. Since 1952, the sitting President typically offers the U.S. presidential candidates classified briefings as a matter of courtesy, but only after the nomination conventions. However, the Committee’s investigation found that a counterintelligence briefing before the nomination convention, even at the unclassified level, would be a significant benefit to the candidates and enhance the integrity of the campaign.

(U) U.S. presidential campaigns are a significant target of interest to America’s foreign adversaries. It should be expected that various foreign intelligence services will conduct offensive operations to penetrate

such campaigns in the hopes of influencing U.S. policy and discourse. Therefore, it is critical that the IC educate presidential campaigns on counterintelligence issues as an important protection measure for campaign operations.

(U) For example, at an appropriate time, the IC could host unclassified counterintelligence training sessions for each campaign. Such training would assist the candidates and campaign leadership in understanding the severity of this issue, and should cover a range of topics, including:

- (U) The intelligence collection process;
- (U) Reasons why foreign intelligence services, generally, would want to penetrate a U.S. presidential campaign;
- (U) How to better secure campaign communications and practice good cyber operational security; and
- (U) Hypothetical examples of suspicious behavior that may warrant questioning or the dismissal of campaign staff.

**(U) Recommendation #20: When consistent with national security, the Intelligence Community should immediately inform U.S. presidential candidates when it discovers a legitimate counterintelligence threat to the campaign, and promptly notify Congress.**

(U) The Committee is not aware of any

[REDACTED]

notification to candidate Trump that the U.S. government conducted counterintelligence investigations of people associated directly or indirectly with the campaign. While the Committee understands and appreciates the IC's reasons for not disclosing such information to protect classified sources and methods, the FBI should have provided candidate Trump some sort of notification, even if it is general and at the unclassified level, that the IC is concerned that a potential counterintelligence threat exists to the campaign.

(U) The DNI should issue an ICD to provide guidance on how and when the IC should notify a U.S. presidential campaign of a legitimate counterintelligence threat. Similar to victim notifications in the cyber context, when the IC has an individual under an active counterintelligence investigation and the IC becomes aware of that individual's affiliation with a U.S. presidential campaign, the IC should have a responsibility to notify the candidate, when consistent with national security. There may be instances where such notifications are not consistent with national security, such as if the candidate himself or herself is under a counterintelligence investigation.

(U) Further, given the sensitivities associated with counterintelligence investigations, if the IC decides that campaign notification is required, the IC should promptly notify Congress of the campaign notification, including the classified details underpinning the counterintelligence threat. De-

pending on the sensitivity, such notifications can be made to the leadership of the House and Senate, as well as the chair and ranking Members of the House and Senate intelligence committees – known as the Gang of 8.

(U) **Recommendation #21: Both houses of Congress should consider requiring all staff to receive an annual counterintelligence awareness briefing.**

(U) As with presidential campaigns, congressional staff members are targets for foreign intelligence collection. The IC should coordinate, and Congress should consider requiring, an annual counterintelligence briefing for staff.

(U) The briefing should be unclassified, cover both physical and cyber threat awareness, and should emphasize that all staff are targets for foreign intelligence services. The Committee's investigation of the 2016 election demonstrated that many campaign staff members were unaware of their status as a potential target for foreign intelligence services. Congressional staff may also be unaware of the counterintelligence risks associated with their positions. Increasing the awareness of staff—even in an unclassified setting—that they are potential targets would enable them to take precautionary measures and be better prepared to counter the threat.

#### Campaign Links to Russia

(U) **Recommendation #22: Political campaigns and law enforcement should ensure**



that their counterintelligence defenses appropriately account for the role of cut-outs and intermediaries.

(U) Russian attempts to influence the American political process, including via intermediaries and cut-outs, did not end on Election Day. The universe of pre- and post-election contacts between Russian intermediaries and Trump associates described in Chapter 4 suggest a sophisticated effort to target unwitting Americans by leveraging existing relationships, interests, and opportunities.<sup>3</sup> Therefore, both U.S. government entities and campaigns in particular must strengthen their defenses against such subversive tactics, beginning with expanding counterintelligence education and training.

(U) The IC should work to provide as much information to campaigns and law enforcement agencies about foreign intelligence agencies' efforts to target them. The Committee is mindful that sensitive counterintelligence issues often involve some of the most highly classified secrets the U.S. government has, but the IC should work to provide some basic training at the unclassified level about foreign adversaries' use of intermediaries.

**(U) Recommendation #23: Congress should consider amending current campaign finance laws to further increase transparency regarding services provided by foreign persons or entities.**

(U) The Committee is concerned that current campaign finance reporting is in-

sufficiently transparent. For example, the DNC and Hillary for America used Perkins Coie, which they billed as "legal services" or "legal and compliance consulting," to finance opposition research by Fusion GPS, which in turn utilized Christopher Steele, a foreign person, to compile the dossier that he created for use against candidate Trump.<sup>4</sup>

(U) Under current federal election law, foreigners are prohibited from making contributions or donations in connection with any campaign in the United States.<sup>5</sup> However, it is not illegal to contract with a foreign person or foreign entity for services, including conducting opposition research on a U.S. campaign, so long as the service was paid for at the market rate.

(U) In light of the use of foreign people and foreign companies for services by the 2016 U.S. presidential election campaigns, the Committee encourages Congress, in consultation with the Federal Election Commission (FEC), to consider whether Congress should amend campaign finance laws to require greater transparency when U.S. campaigns obtain services from foreign persons or entities. Congress should consider whether U.S. campaigns that contract with a foreign person or entity for services should immediately disclose to the FEC a contract with a foreign person or foreign entity, as well as a lengthy summary of the types of services provided by the foreign person or entity.

### Intelligence Community Assessment Leaks

(U) Based on the extraordinary number of leaks of classified information over the past year, it is apparent that government officials are not afraid of the criminal penalties for such unauthorized and illegal conduct.

(U) This leaves the Committee with an impression that criminal statutes related to leaks of classified information are not strong enough to deter potential criminal acts of leaking classified information.

**(U) Recommendation #24: Each component of the Intelligence Community should update its guidance regarding media contacts to ensure the guidance applies to every employee, including senior officials.**

(U) The Committee found significant leaks of classified information around the time of the ICA. The Committee believes many of those leaks were likely from senior officials within the IC. This recommendation is similar to a provision of the FY 2013 Intelligence Authorization Act that expired in early 2014. That provision required a notification to the congressional intelligence committees in the event of an authorized disclosure of classified information to the media or anybody else who had the intent to make the information public.<sup>6</sup> The purpose of the law was to ensure that congressional intelligence committees were informed on a timely basis when there was a disclosure of classified information to the media, and the statute specifically carved

out disclosures made under the Freedom of Information Act, in litigation or administrative proceedings, under executive orders, or to any federal employee with an active security clearance and a need to know.

**(U) Recommendation #25: Congress should consider legislation to increase the penalties for unauthorized disclosures of classified information.**

(U) To date, based on publicly available information, there have not been any prosecutions of leaks pertaining to the Russian active measures campaign. As evidenced by the lack of leak prosecutions, difficulties often arise in finding a culprit behind leaks of classified information. However, when the Executive Branch is successful in identifying an alleged leaker, there should be no bar to prosecuting that individual. While prosecutors may utilize multiple criminal statutes to prosecute individuals who leak or mishandle national defense information, the construct of the Espionage Act does not lend itself in favor of prosecution and as a sufficient deterrent from individuals breaking the law for their own political purposes. Therefore, Congress should consider legislation to clearly articulate stronger penalties for those individuals who make unauthorized disclosures of classified information to the media.

(U) For example, enactment of Congressman Chris Stewart's bill – H.R. 3448, the Classified Information Protection Act – would strengthen the Espionage Act. Unlike



[REDACTED]

current unauthorized disclosure statutes which, by virtue of their complexity, create difficulties in building cases, H.R. 3448 clearly prohibits any current or former individual who had lawful access to classified information from knowingly providing such information to a person who is not authorized to access the information. If someone is found guilty under this proposal, the leaker will be fined, imprisoned for up to three years, or both. This legislation originally passed both chambers of Congress in 2000, but President Clinton vetoed the bill. Given the proliferation of leaks, it is essential for Congress to examine amending the Espionage Act to strengthen our laws needed to protect classified information.

(U) Furthermore, given the significant number of leaks and instances of mishandling classified information coming from within the IC in the past several years, Congress should consider ways to strengthen the protection of classified information. This legislation could include requiring the head of a federal agency to suspend the security clearance of an individual who intentionally or recklessly fails to comply with security procedures for handling classified information. The legislation could also provide for the ability of an agency's Inspector General to make recommendations to the President related to potential violations of security procedures by senior agency officials. Finally, the legislation should consider mandating annual training for all individuals with access to classified information on se-

curity procedures for handling classified information.

(U) Recommendation #26: The Executive Branch should consider instituting mandatory polygraphs for all non-confirmed political appointees that have top secret clearances.

(U) Despite employees in the Executive Branch having extraordinary access to a significant amount of highly classified information, there are very few processes in place to ensure that these individuals handle such information appropriately.

(U) The DNI is responsible for policies and procedures governing "eligibility for access to classified information or eligibility to hold a sensitive position made by any agency." However, pursuant to ICD 704, the DNI delegated the authority to grant access to an IC element's Sensitive Compartmented Information (SCI) and other controlled access program information to the heads of such element. As it relates to the administration of polygraphs during personnel security vetting, the DNI issued Intelligence Community Policy Guidance (ICPG) 704.6.

(U) ICPG 704.6 provides basic instruction as to the types of polygraphs and circumstances by which polygraphs should be administered. While IC elements should have discretion in terms of the timing and circumstances by which to conduct SIPs, every employee not subject to Senate confirmation that is granted access to TOP SECRET classified information should be

subject to at least a counterintelligence scope polygraph (CSP). As a result, the DNI should revise ICD 704 and ICPG 704.6 to specifically reflect this requirement.

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1. 50 U.S.C. § 1804.
  2. 50 U.S.C. § 1801.
  3. HPSCI, "Russian Active Measures During the 2016 Election Campaign," May 23, 2017, pp. 31-32.
  4. Campaign Legal Center and Catherine Hinckley Kelley v. Democratic National Committee and Hillary for America, "Complaint," Federal Election Commission, [www.campaignlegalcenter.org/document/fec-complaint-hillary-america-dnc-failure-disclose](http://www.campaignlegalcenter.org/document/fec-complaint-hillary-america-dnc-failure-disclose), Oct. 25, 2017.
  5. 52 U.S.C. § 30121; 11 CFR 110.20.
  6. Pub. L. No. 112-277, § 504 (2013).



[REDACTED]

## (U) Appendix A - Scope and Methodology

(U) On January 25, 2017, Chairman Nunes and Ranking Member Schiff released a joint statement detailing the Committee's inquiry into the Russian active measures campaign targeting the 2016 U.S. presidential election.<sup>1</sup> The final parameters of the Russia investigation were agreed to by Chairman Nunes and Ranking Member Schiff on March 1, 2017.<sup>2</sup> The review's key questions were: (1) what Russian cyber activity and other active measures were directed against the United States and its allies; (2) did the Russian active measures include links between Russia and individuals associated with political campaigns or any other U.S. persons; (3) what was the U.S. government response to these Russian active measures and what do we need to do to protect ourselves and our allies in the future; and (4) what possible leaks of classified information took place related to the Intelligence Community's assessment of these matters? The Committee remained focused on investigating the answers to these four questions and designed the investigation's methodology around them.

(U) The Committee interviewed and/or transcribed testimony from 73 witnesses, conducted 9 open and closed hearings and briefings, and issued 20 subpoenas. The Committee identified witnesses to interview by reviewing open source material, including news reports; official U.S. government documents, including classified Intelligence IC source material; IC agency briefings; and

following up on leads acquired from formal transcribed interviews with current and former administration officials, as well as volunteers who offered pertinent testimony or documents to the Committee. In some instances, prospective witnesses were unresponsive or unwilling to be interviewed. When appropriate, Congressman K. Michael Conaway, in consultation with the Ranking Member, made a recommendation to the Committee Chairman Devin Nunes in accordance with *Rules of Procedure for the Permanent Select Committee on Intelligence* to issue a subpoena.<sup>3</sup> Subpoenas were used to compel witnesses to appear as well as to compel the production of pertinent documents in compliance with the Committee's lawful authority. Six of the witnesses the Committee requested to interview invoked their 5<sup>th</sup> amendment protections from self-incrimination, which resulted in the Committee not being able to obtain pertinent information from those particular individuals.

(U) During the interviews, the Committee Members and staff questioned the witnesses about activities that generally took place between April 2015 and January 2017. If the Committee discovered anything that arose before April 2015 or after January 2017, the Committee made a determination of its relevancy. If it was identified to have an impact on the campaign or election, the Committee defined it as relevant and included it within the scope. However, none of

the witnesses interviewed indicated potential collusion that would have led the Committee to adapt a broader scope. The Committee also collected over 307,900 documents and 230 hours of witness testimony.

**(U) What Russian cyber activity and other active measures were directed against the United States and its allies?**

**(C//NF)** ~~(S)~~ The Committee collected and analyzed IC products on Russian influence operations and activities from the period beginning with the summer of 2015 and ending in January 2017.<sup>1</sup> The Committee did not examine the motivation of the Russian actors, but instead focused on what it found about the Russian's activities. The Committee also spent approximately 1,200 hours reviewing the classified *Intelligence Community Assessment on Russian Activities and Intentions in Recent Elections* (ICA), [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED] In addition, the Committee interviewed the Chief of the CIA Director's fusion cell, which was an interagency analytic group run by the CIA that was stood up [REDACTED] to produce products focused on Russian cyber and other influence activities targeting the United States. The Committee also interviewed the FBI's Section Chief for the Bureau's Counterintelligence Analysis Section. In addition, the Committee traveled to Bulgaria, Cypress, Estonia, Germany, Moldova, Ukraine, and the United Kingdom to interview these nation's foreign intelligence

services about the Russian active measures against their governments.

**(U) Did the Russian active measures include links between Russia and individuals associated with political campaigns or any other U.S. persons?**

**(U)** The Committee investigated facts related to the FBI's investigation through May 2017, until the appointment of Special Counsel Robert Mueller. The Committee avoided examining events thereafter to avoid interfering with the Special Counsel's investigation. The Committee also examined allegations of collusion by investigating the interaction between the political campaigns and Russian agents of influence during the 2016 election cycle. The election cycle was defined as April 12, 2015, when Hillary Clinton launched her campaign for President through November 8, 2016, or election day. To answer this question, the Committee met with the head of Counterintelligence for the DOJ to understand the context and events surrounding the investigation into the Trump campaign. The Committee also interviewed several officials from the FBI and DOJ to collect official testimony about the investigation. In addition, the Committee collected and reviewed pertinent FBI and DOJ documents about the counterintelligence investigation. The Committee also coordinated closely with the Office of Special Counsel. For example, the Committee shared the list of witnesses that the Committee interviewed and kept the Special Counsel's office apprised of any changes or developments on a monthly ba-



sis.

**(U) What was the U.S. government response to these Russian active measures and what do we need to do to protect ourselves and our allies in the future?**

The Committee interviewed current and former officials at the NSA, FBI, and CIA. The Committee interviewed these witnesses about Russia's active measures, the impact these active measures had on U.S. intelligence relationships and alliances, as well as the agencies' response to these attacks. In addition, the Committee traveled to seven countries in Europe and met with IC, Department of State, and foreign intelligence service representatives to obtain other nations' perspectives about the Russian active measures, the potential impacts of these measures, and the U.S. government and its allies' response.

**(U) What possible leaks of classified information took place related to the Intel-**

**ligence Community's assessment of these matters?**

**(U)** The Committee collected, reviewed, and analyzed open source articles containing leaks that occurred between the IC's establishment of the CIA Director's fusion cell [REDACTED] and the publication of the classified and declassified version of the ICA in January 2017. In addition, the Committee collected and analyzed laws and policies pertaining to the release or publication of classified information. Finally, the Committee also compared the leaks found in the identified articles to the classified and unclassified Intelligence Community Assessment to determine any similarities.

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1. HPSCI, "Joint Statement on Progress of Bipartisan HPSCI Inquiry into Russian Active Measures," Press Releases, [intelligence.house.gov](http://intelligence.house.gov), Jan. 25, 2017.
2. HPSCI, "Intelligence Committee Chairman, Ranking Member Establish Parameters for Russia Investigation," [intelligence.house.gov](http://intelligence.house.gov), Mar. 1, 2017.
3. HPSCI, *Rules of Procedure for the Permanent Select Committee on Intelligence*, United States House of Representatives, 115<sup>th</sup> Congress.
4. The IC comprises 17 different organizations, or IC elements, to include the Office of the Director of National Intelligence, the Central Intelligence Agency, the Federal Bureau of Investigation, the Office of Intelligence and Counterintelligence at the Department of Energy, the Office of National Security Intelligence at the Department of Justice's Drug Enforcement Administration, the Office of Intelligence and Analysis at the Department of Homeland Security, the Bureau of Intelligence and Research at the Department of State, the Office of Intelligence and Analysis at the Department of Treasury, Air Force Intelligence, Army Intelligence, Coast Guard Intelligence, Defense Intelligence Agency, Marine Corps Intelligence, National Geospatial-Intelligence Agency, National Reconnaissance Office, National Security Agency, and Navy Intelligence. For the purposes of this review, the Committee reviewed intelligence products from the Central Intelligence Agency, Federal Bureau of Investigation, and National Security Agency because these agencies were the IC partners for community-wide assessment of Russian active measures.

[REDACTED]

**(U) Appendix B - Russia Investigation Parameters**

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[REDACTED]

**HPSCI INQUIRIES AND INVESTIGATIONS**

**SCOPE OF INVESTIGATION**

**BI-PARTISAN INQUIRY INTO RUSSIAN ACTIVE MEASURES**

**TOPIC**

An examination into Russian cyber activity and other active measures directed at the 2016 U.S. election.

**PURPOSE**

*What problem are you trying to solve?*

One of HPSCI's highest priorities is oversight of the Intelligence Community's activities to counter Russian aggression, including the cyber-attacks directed against the United States in the last year. As part of this oversight responsibility, the Committee is undertaking a bi-partisan investigation into these activities directed at the 2016 election and the underlying intelligence used to draft the Intelligence Community Assessment, "Russian Activities and Intentions in Recent US Elections." The investigation will help us better understand Russian active measures against the United States and our allies and inform efforts to prevent similar episodes in the future, both here and abroad.

*Who is your intended audience?*

The intended audience is the Members of HPSCI and—to the extent permitted by classification and security rules—the broader House of Representatives and the American people.

*What are the key questions you seek to answer?*

- What Russian cyber activity and other active measures were directed against the United States and its allies?
- What counterintelligence concerns exist related to Russia and the 2016 U.S. elections, including any intelligence regarding links between Russia and individuals associated with political campaigns?
- What was the USG response to these Russian active measures and what impact, if any, did the Russian activity have on intelligence relationships and traditional alliances?
- What possible leaks of classified information took place related to the Intelligence Community's assessment of these matters?

*What is your intended outcome product(s)?*

The Committee intends to complete a report at the highest classification necessary to answer the key questions and, where possible, report(s) at lower classification levels releasable to the House of Representatives and the public, as appropriate.



[REDACTED]

***What intended impact will there be for budget, legislation, or press?***

The inquiry and report may uncover vulnerabilities within the Intelligence Community and/or USG agencies or institutions. If so, the Committee may identify avenues of improvement that would be reflected in IAA provisions, stand-alone legislation, IC budget adjustments, and/or further areas to focus HPSCI's oversight efforts.

The Committee also expects that there will be significant interest from the press, given the delicate political issues surrounding the topic. Staff will remain bi-partisan and focus solely on the facts uncovered in our investigation.

***What intended effect do you want those products to have? How does that fit into the Committee's oversight plan?***

The objective is to better understand Russian active measures directed at the 2016 U.S. election, and to better position the IC and the broader USG to respond to and defend against the threat.

**SCOPE**

***What are the boundaries of your review? Please consider time, substance, agency, and range of activities.***

**Time:**

The Committee will focus primarily on Russian active measures deployed during the 2015-2017 timeframe, but may pursue activities germane to the investigation that took place outside this window.

**Substance:**

- ***What:*** The Committee will investigate Russian activities aimed at USG agencies, political parties, NGOs, individuals, and private industry, as appropriate. [REDACTED]  
[REDACTED] The investigation will also assess whether there is any intelligence that identifies insider threat or CI concerns, including whether Russian activity involved any USPs, including those on or associated with campaigns.
  - The investigation will also consider what USG officials believe to be the impact to U.S. intelligence of both Russian active measures related to the election and the associated recent disclosures.
- ***How:*** The Committee will investigate the methods by which Russia targeted the aforementioned groups.
- ***Why:*** The investigation will consider Russian leadership plans and intentions, including whether and in what ways Russia intended to influence U.S. policy or undermine U.S. political systems and democratic institutions.
- ***USG response:*** The Committee will examine how the U.S. government responded to Russian active measures. [REDACTED]  
[REDACTED] It will also include an assessment of the process used to generate the IC's report and any deviations from standard practices in the IC's report. [REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] and an accounting of whether a person or persons in the IC or the White House leaked information on the report prior to its dissemination to the Gang of Eight, Congress, or the public.

- The report will also assess whether intelligence relating to U.S. persons was collected and disseminated in accordance with applicable laws and policies.
- *Recommendations:* Several recommendations are likely to come out of this investigation.

**Agencies:**

- The Committee expects to be in contact with CIA, NSA, DHS, FBI, DIA, and ODNI. However, The Committee will pursue all avenues of inquiry, which may include agencies not listed here.
- The Committee will also engage current and former IC and USG personnel, private industry, and any other parties with knowledge relevant to the investigation.
- The Committee will examine the process by which the Intelligence Community Assessment, "Russian Activities and Intentions in Recent US Elections," was created and the intelligence underlying the assessment to determine whether the IC comported with all relevant Intelligence Community Directives and security precautions when researching, writing, analyzing, and releasing their product, and whether the assessments meet a reasonable standard of credibility as determined by the investigatory team. The Committee will focus on evaluating the IC's work on the Assessment with regard to IC rules and procedures, but not create a new or separate assessment of Russian activities.

*Given the above, and competing priorities, when do you expect to complete the project?*

The Committee expects the investigation to take several months, at least, and the drafting of a report and any declassification review to take additional time thereafter. Above all, the investigation will prioritize comprehensiveness over completion by a particular date, while still seeking to move as quickly as possible to ensure the report is timely and useful.

*What if/any political or jurisdictional issues exist?*

The inquiry's subject matter carries political sensitivities. Nevertheless, staff will proceed in a bipartisan and objective manner, both in conducting the inquiry and in drafting the report.

- The Committee's investigation will not interfere with any ongoing criminal or counterintelligence investigations. Staff will, however, seek relevant law enforcement or counterintelligence information consistent with the Committee's oversight jurisdiction and investigative responsibilities. The objective of seeking such information will be to assess whether any collusion occurred between Russians and USPs, and the leaks of classified information.
- The investigation could implicate the work of the agencies within the jurisdiction of Homeland Security, Judiciary, Oversight, and Foreign Affairs Committees. However, because the investigation will focus on an active measures campaign by a foreign adversary, the investigation clearly lies within the jurisdiction of HPSCI. Additionally, House Rule 10 provides that HPSCI shall study the sources and methods of the IC on an "exclusive basis."



[REDACTED]

*What if/any compartmentation issues exist?*

Staff and Members conducting the investigation will need access to Gang of Eight material. This necessitates a small, nimble group, and will require special arrangements for proper storage of compartmented information at HPSCI.

**METHODOLOGY**

*Will it be bipartisan? Who will be involved?*

This investigation is bi-partisan. Gang of Eight access will be required for the investigatory team.

- Lead: [REDACTED] (Majority); [REDACTED] (Minority)
- Counsel: [REDACTED] (Majority); [REDACTED] (Minority)
- Investigators: [REDACTED] and [REDACTED] (Majority)
- Advisor: [REDACTED] (Minority)
- Technical Advisor: [REDACTED] (Bi-partisan Fellow)

*What information do you anticipate will be necessary to achieve your purpose?*

- Access to and custody of all underlying intelligence used to create the Intelligence Community Assessment, "Russian Activities and Intentions in Recent US Elections." This includes reporting currently only available to the Gang of Eight and their Staff Directors.
- Access to and custody of other relevant reporting on Russian active measures as it relates to the timeframe and topics described in the Scope of Investigation, as needed.
- Interviews with USG and non-USG individuals with knowledge of Russian active measures, including those in the Intelligence Community, private industry, NGOs, political parties, and/or other groups. [REDACTED]

[REDACTED]. The Committee may also wish to engage cyber experts from our National Labs, both resident at HPSCI and outside the committee.

- [REDACTED]
- Access to documents and information regarding law enforcement and counterintelligence investigations, consistent with the Committee's oversight jurisdiction and investigative responsibilities, as further described above.

*What roles will Members play? At what points will they be brought in to provide feedback or guide the project? What Committee events may be necessary?*

- The investigation is of highest interest to HPSCI Members. They will need to be updated on the status of the investigation at regular intervals, likely through bi-partisan investigatory team memos and Majority- and Minority-specific channels, as necessary.
- Members may also be interested in joining interviews if they are of high interest.
- As needed, the Committee will hold hearings, both open and closed, on elements of the investigation.



*How will you gather information (what types of document requests do you plan to submit; who do you plan to interview; where do you intend to travel)?*

- The Committee has already requested from the ODNI access to and custody of all intelligence reporting included in the Intelligence Community assessment, "Russian Activities and Intentions in Recent US Elections."
- The Committee will submit further requests for documents, and for interviews, as the inquiry proceeds.
- The Committee will interview current and former USG personnel, industry personnel, those who work or worked in NGOs and/or political parties, and others as the Committee deems appropriate.
- The Committee will also seek existing IC information on Russian activity against U.S. allies during their elections.

*How will you file, organize, and retain all of the information received? Have you factored in sufficient time for declassification review, if necessary? How will that occur?*

- The Committee will need to accommodate document review and storage at HPSCI—particularly as it relates to compartmented information. The Committee will also need to factor in the time it may take agencies to respond to document access requests, declassification reviews, and/or making available individuals for interviews with the investigatory team or HPSCI Members.
- The Committee staff have already set-up digital folders on the HPSCI classified system to hold all relevant non-Gang of Eight planning and scoping documents, with the proper permissions based on responsibilities and Majority/Minority status.

#### TIMELINE

*Provide specific intended deadlines for each phase of your review (data gathering, analysis, writing, coordination/editing, publishing...)*

The Committee will pursue a phased, building-blocks approach to the investigation, while prioritizing comprehensiveness above completion by a fixed end date. The structuring of the investigation into Phases, and the consequent prioritization of specifically identified investigative activities or research, will not be construed to limit staff's ability to gather or analyze relevant information.

The Committee expects each phase will take weeks to months to complete.

- Phase 1 will focus on initial, general knowledge acquisition about the Russia active measures campaign, the U.S. response, counterintelligence concerns, and the other key questions identified above.
  - Phase 1 will include reading and analyzing intelligence reporting relevant to the Russia cyber threat, including all underlying intelligence used to produce the Intelligence Community Assessment, "Russian Activities and Intentions in Recent US Elections."
  - Phase 1 also will include meetings with USG and industry personnel generally knowledgeable about the threat; meetings with USG personnel knowledgeable about the IC's analytic process; and meetings with former USG experts

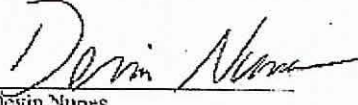


[REDACTED]

- knowledgeable about USG posture against the Russia target, to include counterintelligence.
- Phase 1 also will include witness testimony, following investigative leads, and document production relative to the IC Assessment, counterintelligence concerns, the USG response, and leak allegations.
- Throughout Phase 1, the Committee will pursue document acquisition and schedule interviews necessary to conduct Phase 2.
- Phase 2 will build on the baseline knowledge acquired in Phase 1 through a focused and specific investigation.
  - Phase 2 will include a detailed analysis of the intelligence production process and conclusions in the Intelligence Community Assessment, "Russian Activities and Intentions in Recent US Elections" to assess whether the IC comported with all relevant Intelligence Community Directives and security precautions when researching, writing, analyzing, and releasing their assessment.
  - Phase 2 will include interviews with specific USG and industry personnel knowledgeable about the specific topics discussed in the IC's report and the process used to compile, review, and disseminate the IC's report.
  - Phase 2 may include detailed interviews and analysis regarding the Russian active measures campaign; the U.S. response; counterintelligence concerns; the impact of Russian active measures on U.S. allies; and whether the IC or the White House leaked information on the report prior to its dissemination to the Gang of Eight, Congress, or the public.
- Phase 3 will focus on writing, coordinating, editing, transmitting for declassification review (if necessary), and releasing the Committee's reports at appropriate classification levels.
- Throughout all three phases, the Committee will engage Members for any feedback and incorporate that feedback into our process.

\*\*\*\*

Pursuant to Rule 9 of the Committee's Rules of Procedure, 115th Congress, we hereby jointly agree to the scope of investigation described above.

  
 Devin Nunes  
 Chairman

  
 Adam Schiff  
 Ranking Member

Date: February 27, 2017

**(U) Appendix C - Russia's Media Propaganda Apparatus**

**(U) Rossiya Segodnya**

(U) Created by Putin in 2013, Rossiya Segodnya is Russia's overarching state media company. Rossiya Segodnya acts as an umbrella for outlets like RT and Sputnik. "Rossiya Segodnya" is translated as "Russia Today," but it is different from the television channel with the same name. According to Russian press reporting, in September 2014, Moscow tripled Rossiya Segodnya's budget to 6.48 billion rubles and increased RT's 2015 budget by 41 percent to 15.38 billion rubles, which is equivalent to roughly \$600 million.

**(U) Russia Today (RT)**

(U) This 24-hour worldwide television (TV) and online network was created in 2005 to promote Russia's image abroad and to show foreigners world events from a Russian perspective. Nominally independent but Kremlin-controlled and funded, Russia

[REDACTED]

[REDACTED] To deemphasize its Russian origin, Russia Today was rebranded RT in 2008.

(U) RT employs 2,000 staff to provide coverage in Russian, English, Arabic, French, German, and Spanish in 100 countries and on the Internet from its studios in Moscow and Washington DC. RT's central slogan, "Question More," is indicative of its overarching goal to urge viewers to doubt every-

thing they see in Western media and from its leaders.

**(U) Sputnik**

(U) A Russian state-owned network of media platforms producing radio, social media, and news content, Sputnik was created in 2014 to act as Russia's multimedia hub. Sputnik is based in 28 countries and operates in 33 different languages, broadcasting pro-Russian messaging and disinformation. A recent GAO study found that Sputnik promotes anti-West narratives and undermines support for democracy.<sup>2</sup>

[REDACTED]

**(U) Russia Beyond the Headlines**

(U) Less ideologically hostile than RT and Sputnik, Russia Beyond the Headlines (RBTH) pays for printed inserts in many leading European newspapers and targets Bulgaria, Croatia, France, Germany, Greece, Italy, Macedonia, Portugal, Serbia, Spain, and the UK. Comparatively less anti-American in tone, RBTH provides another avenue for Russian propaganda to reach wide audiences in these European countries.

[REDACTED]



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1. [REDACTED]
  2. GAO, *Russia: U.S. Government Takes a Country-Specific Approach to Addressing Disinformation Overseas*, May 2017.
  3. [REDACTED]
  4. [REDACTED]

[REDACTED]

**(U) Appendix E - HPSCI Majority Memo about FISA Abuses**

UNCLASSIFIED

January 18, 2018

To: HPSCI Majority Members  
From: HPSCI Majority Staff  
Subject: Foreign Intelligence Surveillance Act Abuses at the Department of Justice and the Federal Bureau of Investigation

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Purpose

This memorandum provides Members an update on significant facts relating to the Committee's ongoing investigation into the Department of Justice (DOJ) and Federal Bureau of Investigation (FBI) and their use of the Foreign Intelligence Surveillance Act (FISA) during the 2016 presidential election cycle. Our findings, which are detailed below, 1) raise concerns with the legitimacy and legality of certain DOJ and FBI interactions with the Foreign Intelligence Surveillance Court (FISC), and 2) represent a troubling breakdown of legal processes established to protect the American people from abuses related to the FISA process.

Investigation Update

On October 21, 2016, DOJ and FBI sought and received a FISA probable cause order (not under Title VII) authorizing electronic surveillance on Carter Page from the FISC. Page is a U.S. citizen who served as a volunteer advisor to the Trump presidential campaign. Consistent with requirements under FISA, the application had to be first certified by the Director or Deputy Director of the FBI. It then required the approval of the Attorney General, Deputy Attorney General (DAG), or the Senate-confirmed Assistant Attorney General for the National Security Division.

The FBI and DOJ obtained one initial FISA warrant targeting Carter Page and three FISA renewals from the FISC. As required by statute (50 U.S.C. §1805(d)(1)), a FISA order on an American citizen must be renewed by the FISC every 90 days and each renewal requires a separate finding of probable cause. Then-Director James Comey signed three FISA applications in question on behalf of the FBI, and Deputy Director Andrew McCabe signed one. Then-DAG Sally Yates, then-Acting DAG Dana Boente, and DAG Rod Rosenstein each signed one or more FISA applications on behalf of DOJ.

Due to the sensitive nature of foreign intelligence activity, FISA submissions (including renewals) before the FISC are classified. As such, the public's confidence in the integrity of the FISA process depends on the court's ability to hold the government to the highest standard - particularly as it relates to surveillance of American citizens. However, the FISC's rigor in protecting the rights of Americans, which is reinforced by 90-day renewals of surveillance orders, is necessarily dependent on the government's production to the court of all material and relevant facts. This should include information potentially favorable to the target of the FISA

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application that is known by the government. In the case of Carter Page, the government had at least four independent opportunities before the FISC to accurately provide an accounting of the relevant facts. However, our findings indicate that, as described below, material and relevant information was omitted.

- 1) The “dossier” compiled by Christopher Steele (Steele dossier) on behalf of the Democratic National Committee (DNC) and the Hillary Clinton campaign formed an essential part of the Carter Page FISA application. Steele was a longtime FBI source who was paid over \$160,000 by the DNC and Clinton campaign, via the law firm Perkins Coie and research firm Fusion GPS, to obtain derogatory information on Donald Trump’s ties to Russia.
  - a) Neither the initial application in October 2016, nor any of the renewals, disclose or reference the role of the DNC, Clinton campaign, or any party/campaign in funding Steele’s efforts, even though the political origins of the Steele dossier were then known to senior DOJ and FBI officials.
  - b) The initial FISA application notes Steele was working for a named U.S. person, but does not name Fusion GPS and principal Glenn Simpson, who was paid by a U.S. law firm (Perkins Coie) representing the DNC (even though it was known by DOJ at the time that political actors were involved with the Steele dossier). The application does not mention Steele was ultimately working on behalf of—and paid by—the DNC and Clinton campaign, or that the FBI had separately authorized payment to Steele for the same information.
- 2) The Carter Page FISA application also cited extensively a September 23, 2016, *Yahoo News* article by Michael Isikoff, which focuses on Page’s July 2016 trip to Moscow. This article does not corroborate the Steele dossier because it is derived from information leaked by Steele himself to *Yahoo News*. The Page FISA application incorrectly assesses that Steele did not directly provide information to *Yahoo News*. Steele has admitted in British court filings that he met with *Yahoo News*—and several other outlets—in September 2016 at the direction of Fusion GPS. Perkins Coie was aware of Steele’s initial media contacts because they hosted at least one meeting in Washington D.C. in 2016 with Steele and Fusion GPS where this matter was discussed.
  - a) Steele was suspended and then terminated as an FBI source for what the FBI defines as the most serious of violations—an unauthorized disclosure to the media of his relationship with the FBI in an October 30, 2016, *Mother Jones* article by David Corn. Steele should have been terminated for his previous undisclosed contacts with *Yahoo* and other outlets in September—before the Page application was submitted to

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the FISC in October—but Steele improperly concealed from and lied to the FBI about those contacts.

- b) Steele's numerous encounters with the media violated the cardinal rule of source handling—maintaining confidentiality—and demonstrated that Steele had become a less than reliable source for the FBI.
- 3) Before and after Steele was terminated as a source, he maintained contact with DOJ via then-Associate Deputy Attorney General Bruce Ohr, a senior DOJ official who worked closely with Deputy Attorneys General Yates and later Rosenstein. Shortly after the election, the FBI began interviewing Ohr, documenting his communications with Steele. For example, in September 2016, Steele admitted to Ohr his feelings against then-candidate Trump when Steele said he **"was desperate that Donald Trump not get elected and was passionate about him not being president."** This clear evidence of Steele's bias was recorded by Ohr at the time and subsequently in official FBI files—but not reflected in any of the Page FISA applications.
  - a) During this same time period, Ohr's wife was employed by Fusion GPS to assist in the cultivation of opposition research on Trump. Ohr later provided the FBI with all of his wife's opposition research, paid for by the DNC and Clinton campaign via Fusion GPS. The Ohrs' relationship with Steele and Fusion GPS was inexplicably concealed from the FISC.
- 4) According to the head of the FBI's counterintelligence division, Assistant Director Bill Priestap, corroboration of the Steele dossier was in its "infancy" at the time of the initial Page FISA application. After Steele was terminated, a source validation report conducted by an independent unit within FBI assessed Steele's reporting as only minimally corroborated. Yet, in early January 2017, Director Comey briefed President-elect Trump on a summary of the Steele dossier, even though it was—according to his June 2017 testimony—"salacious and unverified." While the FISA application relied on Steele's past record of credible reporting on other unrelated matters, it ignored or concealed his anti-Trump financial and ideological motivations. Furthermore, Deputy Director McCabe testified before the Committee in December 2017 that no surveillance warrant would have been sought from the FISC without the Steele dossier information.

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- 5) The Page FISA application also mentions information regarding fellow Trump campaign advisor George Papadopoulos, but there is no evidence of any cooperation or conspiracy between Page and Papadopoulos. The Papadopoulos information triggered the opening of an FBI counterintelligence investigation in late July 2016 by FBI agent Pete Strzok. Strzok was reassigned by the Special Counsel's Office to FBI Human Resources for improper text messages with his mistress, FBI Attorney Lisa Page (no known relation to Carter Page), where they both demonstrated a clear bias against Trump and in favor of Clinton, whom Strzok had also investigated. The Strzok/Lisa Page texts also reflect extensive discussions about the investigation, orchestrating leaks to the media, and include a meeting with Deputy Director McCabe to discuss an "insurance" policy against President Trump's election.

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**(U) Appendix F - HPSCI Minority Memo about FISA Abuses**

Redactions match previously released version--no additional redactions taken

**TO:** All Members of the House of Representatives  
**FROM:** HPSCI Minority  
**DATE:** January 29, 2018  
**RE:** Correcting the Record - The Russia Investigations

The HPSCI Majority's move to release to the House of Representatives its allegations against the Federal Bureau of Investigation (FBI) and the Department of Justice (DOJ) is a transparent effort to undermine those agencies, the Special Counsel, and Congress' investigations. It also risks public exposure of sensitive sources and methods for no legitimate purpose.

FBI and DOJ officials did not "abuse" the Foreign Intelligence Surveillance Act (FISA) process, omit material information, or subvert this vital tool to spy on the Trump campaign.

In fact, DOJ and the FBI would have been remiss in their duty to protect the country had they not sought a FISA warrant and repeated renewals to conduct temporary surveillance of Carter Page, someone the FBI assessed to be an agent of the Russian government. DOJ met the rigor, transparency, and evidentiary basis needed to meet FISA's probable cause requirement, by demonstrating:

- o contemporaneous evidence of Russia's election interference;
- o concerning Russian links and outreach to Trump campaign officials;
- o Page's history with Russian intelligence; and
- o [REDACTED] Page's suspicious activities in 2016, including in Moscow.

The Committee's Minority has therefore prepared this memorandum to correct the record:

- Christopher Steele's raw intelligence reporting did not inform the FBI's decision to initiate its counterintelligence investigation in late July 2016. In fact, the FBI's closely-held investigative team only received Steele's reporting in mid-September - more than seven weeks later. The FBI - and, subsequently, the Special Counsel's - investigation into links between the Russian government and Trump campaign associates has been based on troubling law enforcement and intelligence information unrelated to the "dossier."
- DOJ's October 21, 2016 FISA application and three subsequent renewals carefully outlined for the Court a multi-pronged rationale for surveilling Page, who, at the time of the first application, was no longer with the Trump campaign. DOJ detailed Page's past relationships with Russian spies and interaction with Russian officials during the 2016 campaign [REDACTED]. DOJ cited multiple sources to support the case for surveilling Page - but made only narrow use of information from Steele's sources about Page's specific activities in 2016, chiefly his suspected July 2016 meetings in Moscow with Russian officials. [REDACTED]. In fact, the FBI interviewed Page in March 2016 about his contact with Russian intelligence, the very month candidate Donald Trump named him a foreign policy advisor.

As DOJ informed the Court in subsequent renewals, [REDACTED] Steele's reporting about Page's Moscow meetings [REDACTED]. DOJ's applications did not otherwise rely on Steele's reporting, including any "salacious" allegations



[REDACTED]  
about Trump, and the FBI never paid Steele for this reporting. While explaining why the FBI viewed Steele's reporting and sources as reliable and credible, DOJ also disclosed:

- o Steele's prior relationship with the FBI;
  - o the fact of and reason for his termination as a source; and
  - o the assessed political motivation of those who hired him.
- The Committee Majority's memorandum, which draws selectively on highly sensitive classified information, includes other distortions and misrepresentations that are contradicted by the underlying classified documents, which the vast majority of Members of the Committee and the House have not had the opportunity to review -- and which Chairman Nunes chose not to read himself.<sup>1</sup>

Background

On January 18, 2018, the Committee Majority, during an unrelated business meeting, forced a surprise vote to release to the full House a profoundly misleading memorandum alleging serious abuses by the FBI and DOJ. Majority staff drafted the document in secret on behalf of Chairman Devin Nunes (and reportedly with guidance and input from Rep. Trey Gowdy), and then rushed a party-line vote without prior notice.

This was by design. The overwhelming majority of Committee Members never received DOJ authorization to access the underlying classified information, and therefore could not judge the veracity of Chairman Nunes' claims. Due to sensitive sources and methods, DOJ provided access only to the Committee's Chair and Ranking Member (or respective designees), and limited staff, to facilitate the Committee's investigation into Russia's covert campaign to influence the 2016 U.S. elections.<sup>2</sup> As DOJ has confirmed publicly, it did not authorize the broader release of this information within Congress or to the public, and Chairman Nunes refused to allow DOJ and the FBI to review his document until he permitted the FBI Director to see it for the first time in HPSCI's secure spaces late on Sunday, January 28 -- 10 days after disclosure to the House.<sup>3</sup>

FBI's Counterintelligence Investigation

In its October 2016 FISA application and subsequent renewals, DOJ accurately informed the Court that the FBI initiated its counterintelligence investigation on July 31, 2016, after receiving information [REDACTED]. George Papadopoulos revealed [REDACTED] that individuals linked to Russia, who took interest in Papadopoulos as a Trump campaign foreign policy adviser, informed him in late April 2016 that Russia [REDACTED].<sup>4</sup> Papadopoulos's disclosure, moreover, occurred against the backdrop of Russia's aggressive covert campaign to influence our elections, which the FBI was already monitoring. We would later learn in Papadopoulos's plea that that the information the Russians could assist by anonymously releasing were thousands of Hillary Clinton's emails.<sup>5</sup>

DOJ told the Court the truth. Its representation was consistent with the FBI's underlying investigative record, which current and former senior officials later corroborated in extensive

[REDACTED]  
Committee testimony. Christopher Steele's reporting, which he began to share with an FBI agent [REDACTED] through the end of October 2016, played no role in launching the FBI's counterintelligence investigation into Russian interference and links to the Trump campaign. In fact, Steele's reporting did not reach the counterintelligence team investigating Russia at FBI headquarters until mid-September 2016, more than seven weeks after the FBI opened its investigation, because the probe's existence was so closely held within the FBI.<sup>6</sup> By then, the FBI had already opened sub-inquiries into [REDACTED] individuals linked to the Trump campaign [REDACTED]

[REDACTED], and former campaign foreign policy advisor Carter Page.

As Committee testimony bears out, the FBI would have continued its investigation, including against [REDACTED] individuals, even if it had never received information from Steele, never applied for a FISA warrant against Page, or if the FISC had rejected the application.<sup>7</sup>

DOJ's FISA Application and Renewals

The initial warrant application and subsequent renewals received independent scrutiny and approval by four different federal judges, three of whom were appointed by President George W. Bush and one by President Ronald Reagan. DOJ first applied to the FISC on October 21, 2016 for a warrant to permit the FBI to initiate electronic surveillance and physical search of Page for 90 days, consistent with FISA requirements. The Court approved three renewals – in early January 2017, early April 2017, and late June 2017 – which authorized the FBI to maintain surveillance on Page until late September 2017. Senior DOJ and FBI officials appointed by the Obama and Trump Administrations, including acting Attorney General Dana Boente and Deputy Attorney General Rod Rosenstein, certified the applications with the Court.

FISA was not used to spy on Trump or his campaign. As the Trump campaign and Page have acknowledged, Page ended his formal affiliation with the campaign months before DOJ applied for a warrant. DOJ, moreover, submitted the initial application less than three weeks before the election, even though the FBI's investigation had been ongoing since the end of July 2016.

DOJ's warrant request was based on compelling evidence and probable cause to believe Page was knowingly assisting clandestine Russian intelligence activities in the U.S.:

- Page's Connections to Russian Government and Intelligence Officials: The FBI had an independent basis for investigating Page's motivations and actions during the campaign, transition, and following the inauguration. As DOJ described in detail to the Court, Page had an extensive record as [REDACTED] prior to joining the Trump campaign. He resided in Moscow from 2004-2007 and pursued business deals with Russia's state-owned energy company Gazprom— [REDACTED]. As early as [REDACTED], a Russian intelligence officer [REDACTED] targeted Page for recruitment. Page showed [REDACTED].



Redactions match previously released version--no additional redactions taken

[REDACTED]  
Page remained on the radar of Russian intelligence and the FBI. In 2013, prosecutors indicted three other Russian spies, two of whom targeted Page for recruitment. The FBI also interviewed Page multiple times about his Russian intelligence contacts, including in March 2016.<sup>13</sup> The FBI's concern about and knowledge of Page's activities therefore long predate the FBI's receipt of Steele's information.

- Page's Suspicious Activity During the 2016 Campaign: The FISA applications also detail Page's suspicious activity after joining the Trump campaign in March 2016. [REDACTED] Page traveled to Moscow in July 2016, during which he gave a university commencement address -- an honor usually reserved for well-known luminaries.
  - It is in this specific sub-section of the applications that DOJ refers to Steele's reporting on Page and his alleged coordination with Russian officials. Steele's information about Page was consistent with the FBI's assessment of Russian intelligence efforts to recruit him and his connections to Russian persons of interest.
  - In particular, Steele's sources reported that Page met separately while in Russia with Igor Sechin, a close associate of Vladimir Putin and executive chairman of Rosneft, Russia's state-owned oil company, and Igor Divyekin, a senior Kremlin official. Sechin allegedly discussed the prospect of future U.S.-Russia energy cooperation and "an associated move to lift Ukraine-related western sanctions against Russia." Divyekin allegedly disclosed to Page that the Kremlin possessed compromising information on Clinton ("kompromat") and noted "the possibility of its being released to Candidate #1's campaign."<sup>14</sup> [Note: "Candidate #1" refers to candidate Trump.] This closely tracks what other Russian contacts were informing another Trump foreign policy advisor, George Papadopoulos.
- In subsequent FISA renewals, DOJ provided additional information obtained through multiple independent sources that corroborated Steele's reporting.
  - [REDACTED]
  - [REDACTED]
  - Page's [REDACTED] in Moscow with senior Russian officials -- [REDACTED] -- as well as meetings with Russian officials [REDACTED].<sup>15</sup>

This information contradicts Page's November 2, 2017 testimony to the Committee, in which he initially denied any such meetings and then was forced to admit speaking with

Dvorkovich and meeting with Rosneft's Secchi-ted investor relations chief, Andrey Baranov.

- The Court-approved surveillance of Page allowed FBI to collect valuable intelligence. The FISA renewals demonstrate that the FBI collected important investigative information and leads by conducting Court-approved surveillance. For instance:

DOJ also documented evidence that Page anticipated and repeatedly contacted in an effort to present himself as

Page's efforts to also contradict his sworn testimony to our Committee.

DOJ's Transparency about Christopher Steele

Far from "omitting" material facts about Steele, as the Majority claims,<sup>20</sup> DOJ repeatedly informed the Court about Steele's background, credibility, and potential bias. DOJ explained in detail Steele's prior relationship with and compensation from the FBI; his credibility, reporting history, and source network; the fact of and reason for his termination as a source in late October 2016; and the likely political motivations of those who hired Steele.

- DOJ was transparent with Court about Steele's sourcing: The Committee Majority, which had earlier accused Obama Administration officials of improper "unmasking," faults DOJ for not revealing the names of specific U.S. persons and entities in the FISA application and subsequent renewals. In fact, DOJ appropriately upheld its longstanding practice of protecting U.S. citizen information by purposefully not "unmasking" U.S. person and entity names, unless they were themselves the subject of a counterintelligence investigation. DOJ instead used generic identifiers that provided the Court with more than sufficient information to understand the political context of Steele's research. In an extensive explanation to the Court, DOJ discloses that Steele

*"was approached by an identified U.S. Person,<sup>21</sup> who indicated to Source #1 [Steele]<sup>22</sup> that a U.S.-based law firm<sup>23</sup> had hired the identified U.S. Person to conduct research regarding Candidate #1's<sup>24</sup> ties to Russia. (The identified U.S. Person and Source #1 have a long-standing business relationship.) The identified U.S. person hired Source #1 to conduct this research. The identified U.S. Person never advised Source #1 as to the motivation behind the research into Candidate #1's ties to Russia. The FBI speculates that the identified U.S. Person was likely looking for information that could be used to discredit Candidate #1's campaign."<sup>25</sup>*

Contrary to the Majority's assertion that DOJ fails to mention that Steele's research was commissioned by "political actors" to "obtain derogatory information on Donald Trump's ties to Russia,"<sup>26</sup> DOJ in fact informed the Court accurately that Steele was hired by



politically-motivated U.S. persons and entities and that his research appeared intended for use "to discredit" Trump's campaign.

- DOJ explained the FBI's reasonable basis for finding Steele credible: The applications correctly described Steele as [REDACTED]. The applications also reviewed Steele's multi-year history of credible reporting on Russia and other matters, including information DOJ used in criminal proceedings.<sup>27</sup> Senior FBI and DOJ officials have repeatedly affirmed to the Committee the reliability and credibility of Steele's reporting, an assessment also reflected in the FBI's underlying source documents.<sup>28</sup> The FBI has undertaken a rigorous process to vet allegations from Steele's reporting, including with regard to Page.<sup>29</sup>
- The FBI properly notified the FISC after it terminated Steele as a source for making unauthorized disclosures to the media. The Majority cites no evidence that the FBI, prior to filing its initial October 21, 2016 application, actually knew or should have known of any allegedly inappropriate media contacts by Steele. Nor do they cite evidence that Steele disclosed to *Yahoo!* details included in the FISA warrant, since the British Court filings to which they refer do not address what Steele may have said to *Yahoo!*.

DOJ informed the Court in its renewals that the FBI acted promptly to terminate Steele after learning from him (after DOJ filed the first warrant application) that he had discussed his work with a media outlet in late October. The January 2018 renewal further explained to the Court that Steele told the FBI that he made his unauthorized media disclosure because of his frustration at Director Comey's public announcement shortly before the election that the FBI reopened its investigation into candidate Clinton's email use.

- DOJ never paid Steele for the "dossier": The Majority asserts that the FBI had "separately authorized payment" to Steele for his research on Trump but neglects to mention that payment was cancelled and never made. As the FBI's records and Committee testimony confirms, although the FBI initially considered compensation [REDACTED] Steele ultimately never received payment from the FBI for any "dossier"-related information.<sup>32</sup> DOJ accurately informed the Court that Steele had been an FBI confidential human source since [REDACTED], for which he was "compensated [REDACTED] by the FBI" – payment for previously-shared information of value unrelated to the FBI's Russia investigation.<sup>33</sup>

#### Additional Omissions, Errors, and Distortions in the Majority's Memorandum

- DOJ appropriately provided the Court with a comprehensive explanation of Russia's election interference, including evidence that Russia courted another Trump campaign advisor, Papadopoulos, and that Russian agents previewed their hack and dissemination of stolen emails. In claiming that there is "no evidence of any cooperation or conspiracy between Page and Papadopoulos,"<sup>34</sup> the Majority misstates the reason why DOJ specifically explained Russia's courting of Papadopoulos. Papadopoulos's interaction with Russian agents, coupled with real-time evidence of Russian election interference, provided the Court with a broader context in which to evaluate Russia's clandestine activities and Page's history and alleged contact with Russian officials. Moreover, since only Page [REDACTED]

[REDACTED], no evidence of a separate conspiracy between him and Papadopoulos was required. DOJ would have been negligent in omitting vital information about Papadopoulos and Russia's concerted efforts.

- In its Court filings, DOJ made proper use of news coverage. The Majority falsely claims that the FISA materials "relied heavily" on a September 23, 2016 Yahoo! News article by Michael Isikoff and that this article "does not corroborate the Steele Dossier because it is derived from information leaked by Steele himself."<sup>35</sup> In fact, DOJ referenced Isikoff's article, alongside another article the Majority fails to mention, not to provide separate corroboration for Steele's reporting, but instead to inform the Court of Page's public denial of his suspected meetings in Moscow, which Page also echoed in a September 25, 2016 letter to FBI Director Comey. [REDACTED]

- The Majority's reference to Bruce Ohr is misleading. The Majority mischaracterizes Bruce Ohr's role, overstates the significance of his interactions with Steele, and misleads about the timeframe of Ohr's communication with the FBI. In late November 2016, Ohr informed the FBI of his prior professional relationship with Steele and information that Steele shared with him (including Steele's concern about Trump being compromised by Russia). He also described his wife's contract work with Fusion GPS, the firm that hired Steele separately. This occurred weeks after the election and more than a month after the Court approved the initial FISA application. The Majority describes Bruce Ohr as a senior DOJ official who "worked closely with the Deputy Attorney General, Yates and later Rosenstein," in order to imply that Ohr was somehow involved in the FISA process, but there is no indication this is the case.

Bruce Ohr is a well-respected career professional whose portfolio is drugs and organized crime, not counterintelligence. There is no evidence that he would have known about the Page FISA applications and their contents. The Majority's assertions, moreover, are irrelevant in determining the veracity of Steele's reporting. By the time Ohr debriefs with the FBI, it had already terminated Steele as a source and was independently corroborating Steele's reporting about Page's activities. Bruce Ohr took the initiative to inform the FBI of what he knew, and the Majority does him a grave disservice by suggesting he is part of some malign conspiracy.

- Finally, Peter Strzok and Lisa Page's text messages are irrelevant to the FISA application. The Majority gratuitously includes reference to Strzok and Page at the end of their memorandum, in an effort to imply that political bias infected the FBI's investigation and DOJ's FISA applications. In fact, neither Strzok nor Page served as affiliates on the applications, which were the product of extensive and senior DOJ and FBI review.<sup>37</sup> In demonizing both career professionals, the Majority accuses them of "orchestrating leaks to the media" — a serious charge; omits inconvenient text messages, in which they criticized a wide range of other officials and candidates from both parties; does not disclose that FBI Deputy Director McCabe testified to the Committee that he had no idea what Page and Strzok were referring to in their "insurance policy" texts;<sup>38</sup> and ignores Strzok's acknowledged role in preparing a public declaration, by then Director Comey, about former Secretary Clinton's "extreme carelessness" in handling classified information—which greatly damaged Clinton's public reputation in the days just prior to the presidential election.

7



<sup>1</sup> Letter to HPSCI Chairman Devin Nunes, Assistant Attorney General Stephen Boyd, Department of Justice, January 24, 2018.

<sup>2</sup> Letter to HPSCI Chairman Devin Nunes, Assistant Attorney General Stephen Boyd, Department of Justice, January 24, 2018. DOJ also confirmed in writing to Minority Staff DOJ and FBI's terms of review:

the Department has accommodated HPSCI's oversight request by allowing repeated in camera reviews of the material in an appropriate secure facility under the general stipulations that (1) the Chair (or his delegate) and the Ranking Member (or his delegate) and two staff each, with appropriate security clearances, be allowed to review on behalf of the Committee, (2) that the review take place in a reading room set up at the Department, and (3) that the documents not leave the physical control of the Department, and (5) that the review opportunities be bipartisan in nature. Though we originally requested that no notes be taken, in acknowledgment of a request by the Committee, and recognizing that the volume of documents had increased with time, the Department eventually allowed notes to be taken to facilitate HPSCI's review. Also, initial reviews of the material include (sic) short briefings by Department officials to put the material in context and to provide some additional information.

Email from Stephen Boyd to HPSCI Minority Staff, January 18, 2018 (emphasis supplied).

<sup>3</sup> Letter to HPSCI Chairman Devin Nunes, Assistant Attorney General Stephen Boyd, Department of Justice, January 24, 2018.

<sup>4</sup> [REDACTED]

<sup>5</sup> Papadopoulos's October 3, 2017 guilty plea adds further texture to this initial tip, by clarifying that a Russian agent told Papadopoulos that "They [the Russians] have dirt on her"; "the Russians had emails of Clinton"; "they have thousands of emails." *U.S. v. George Papadopoulos* (1:17-cr-182, District of Columbia), p. 7.

<sup>6</sup> [REDACTED]

<sup>7</sup> Under the Special Counsel's direction, Flynn and Papadopoulos have both pleaded guilty to lying to federal investigators and are cooperating with the Special Counsel's investigation, while Manafort and his long-time aide, former Trump deputy campaign manager Rick Gates, have been indicted on multiple counts and are awaiting trial. See *U.S. v. Michael T. Flynn* (1:17-cr-232, District of Columbia); *U.S. v. Paul J. Manafort, Jr., and Richard W. Gates III* (1:17-cr-201, District of Columbia); *U.S. v. George Papadopoulos* (1:17-cr-182, District of Columbia).

<sup>8</sup> [REDACTED]

<sup>9</sup> [REDACTED]

<sup>10</sup> [REDACTED] See also, *U.S. v. Evgeny Buryakov, a/k/a "Zhenya," Igor Sporyshev, and Victor Podolnyy*, U.S. Southern District of New York, January 23, 2015.

<sup>11</sup> Department of Justice, Foreign Intelligence Surveillance Court Application, October 21, 2016, p.18. Repeated in subsequent renewal applications

<sup>12</sup> Department of Justice, Foreign Intelligence Surveillance Court Application, June 29, 2017, pp. 20-21.

[REDACTED]

[REDACTED]

<sup>17</sup> [REDACTED] the FBI and broader Intelligence Community's high confidence assessment that the Russian government was engaged in a covert interference campaign to influence the 2016 election, including that Russian intelligence actors "compromised the DNC" and WikiLeaks subsequently leaked in July 2016 "a trove" of DNC emails. Department of Justice, Foreign Intelligence Surveillance Court Application, October 21, 2016, pp. 6-7. Repeated and updated with new information in subsequent renewal applications. Department of Justice, Foreign Intelligence Surveillance Court Application, June 29, 2017, pp. 20-21.

<sup>18</sup> Department of Justice, Foreign Intelligence Surveillance Court Application, June 29, 2017, pp. 36, 46, 48.

<sup>19</sup> Department of Justice, Foreign Intelligence Surveillance Court Application, June 29, 2017, p. 56.

<sup>20</sup> HPSCI Majority Memorandum, *Foreign Intelligence Surveillance Act Abuses at the Department of Justice and the Federal Bureau of Investigation*, January 18, 2018, pp. 2-3 (enumerating "omissions" of fact regarding Steele and his activities, from the Page FISA applications).

<sup>21</sup> Glenn Simpson.

<sup>22</sup> Christopher Steele.

<sup>23</sup> Perkins Coie LLP.

<sup>24</sup> Donald Trump.

<sup>25</sup> Department of Justice, Foreign Intelligence Surveillance Court Application, October 21, 2016, pp. 15-16, n. 8. Repeated in subsequent renewal applications.

<sup>26</sup> HPSCI Majority Memorandum, *Foreign Intelligence Surveillance Act Abuses at the Department of Justice and the Federal Bureau of Investigation*, January 18, 2018, p. 2.

<sup>27</sup> Department of Justice, Foreign Intelligence Surveillance Court Application, October 21, 2016, p. 15, footnote 3. Repeated in subsequent renewal applications.

<sup>28</sup> Interview of Andrew McCabe (FBI Deputy Director), House Permanent Select Committee on Intelligence, December 19, 2017, p. 45, 100; Interview of Sally Yates (former Deputy Attorney General), House Permanent Select Committee on Intelligence, November 3, 2017, p. 16; Interview with John Carlin (former Assistant Attorney General for National Security), House Permanent Select Committee on Intelligence, July, 2017, p. 33.

<sup>29</sup> Interview of Andrew McCabe (FBI Deputy Director), House Permanent Select Committee on Intelligence, December 19, 2017, p. 100-101, 115.

<sup>30</sup> Interview of FBI Agent, House Permanent Select Committee on Intelligence, December 20, 2017, p. 112.

<sup>31</sup> Department of Justice, Foreign Intelligence Surveillance Court Application, October 21, 2016, pp. 15-16, n. 8. Repeated in subsequent renewal applications.

<sup>32</sup> HPSCI Majority Memorandum, *Foreign Intelligence Surveillance Act Abuses at the Department of Justice and the Federal Bureau of Investigation*, January 18, 2018, p. 4 ("The Page FISA application also mentions information regarding fellow Trump campaign advisor George Papadopoulos, but there is no evidence of any cooperation or conspiracy between Page and Papadopoulos.")

<sup>33</sup> HPSCI Majority Memorandum, *Foreign Intelligence Surveillance Act Abuses at the Department of Justice and the Federal Bureau of Investigation*, January 18, 2018, p. 2. Neither Wikileaks nor Yahoo! are specifically identified in the FISA Materials, in keeping with the FBI's general practice of not identifying U.S. persons.

<sup>34</sup> Department of Justice, Foreign Intelligence Surveillance Court Application, October 21, 2016, p. 23; Department of Justice, Foreign Intelligence Surveillance Court Application, January 12, 2017, p. 31; Carter Page, Letter to FBI Director James Comey, September 25, 2016.



[REDACTED]

17

[REDACTED]

<sup>17</sup> Interview of Andrew McCabe (FBI Deputy Director), House Permanent Select Committee on Intelligence, December 19, 2017, p. 157.

[REDACTED]

**(U) Appendix G - Senate Judiciary Memo about Steele Referral**

TOP SECRET//NOFORN  
(UNCLASSIFIED when separated from attachment)

United States Senate



RFSCI-2018-0009

January 4, 2018

VIA ELECTRONIC TRANSMISSION

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

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


Dear Deputy Attorney General Rosenstein and Director Wray:


Attached please find a classified memorandum related to certain communications between Christopher Steele and multiple U.S. news outlets regarding the so-called "Trump dossier" that Mr. Steele compiled on behalf of Fusion GPS for the Clinton Campaign and the Democratic National Committee and also provided to the FBI

Based on the information contained therein, we are respectfully referring Mr. Steele to you for investigation of potential violations of 18 U.S.C. § 1001, for statements the Committee has reason to believe Mr. Steele made regarding his distribution of information contained in the dossier.

Thank you for your prompt attention to this important matter. If you have any questions, please contact Patrick Davis or DeLisa Lay of Chairman Grassley's staff at (202) 224-5225.

Sincerely,

  
Charles E. Grassley  
Chairman  
Committee on the Judiciary

  
Lindsey O. Graham  
Chairman  
Subcommittee on Crime and Terrorism  
Committee on the Judiciary

Enclosure: As stated.

TOP SECRET//NOFORN  
(UNCLASSIFIED when separated from attachment)



Deputy Attorney General Rosenstein and Director Wray  
January 4, 2018  
Page 2 of 2

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

The Honorable Richard Burr  
Chairman  
Senate Select Committee on Intelligence

The Honorable Mark Warner  
Vice Chairman  
Senate Select Committee on Intelligence

The Honorable Devin Nunes  
Chairman  
House Permanent Select Committee on Intelligence

The Honorable Adam Schiff  
Ranking Member  
House Permanent Select Committee on Intelligence

[REDACTED]

MEMORANDUM

(U) FROM: Charles E. Grassley, Chairman, U.S. Senate Committee on the Judiciary  
 Lindsey O. Graham, Chairman, Subcommittee on Crime and Terrorism,  
 U.S. Senate Committee on the Judiciary

TO: The Honorable Rod J. Rosenstein, Deputy Attorney General, U.S.  
 Department of Justice

The Honorable Christopher A. Wray, Director, Federal Bureau of  
 Investigation

RE: Referral of Christopher Steele for Potential Violation of 18 U.S.C. § 1001

(U) As you know, former British Intelligence Officer Christopher Steele was hired by the private firm Fusion GPS in June 2016 to gather information about "links between Russia and [then-presidential candidate] Donald Trump."<sup>1</sup> Pursuant to that business arrangement, Mr. Steele prepared a series of documents styled as intelligence reports, some of which were later compiled into a "dossier" and published by *BuzzFeed* in January 2017.<sup>2</sup> On the face of the dossier, it appears that Mr. Steele gathered much of his information from Russian government sources inside Russia.<sup>3</sup> According to the law firm Perkins Coie, Mr. Steele's dossier-related efforts were funded through Fusion GPS by that law firm on behalf of the Democratic National Committee and the Clinton Campaign.<sup>4</sup>

(U) In response to reporting by the *Washington Post* about Mr. Steele's relationship with the FBI relating to this partisan dossier project, the Judiciary Committee began raising a series of questions to the FBI and the Justice Department about these matters as part of the Committee's constitutional oversight responsibilities.<sup>5</sup>

(U) The FBI has since provided the Committee access to classified documents relevant to the FBI's relationship with Mr. Steele and whether the FBI relied on his dossier work. As explained in greater detail below, when information in those classified documents is evaluated in light of sworn statements by Mr. Steele in British litigation, it appears that either Mr. Steele lied to the FBI or the British court, or that the classified documents reviewed by the Committee contain materially false statements.

<sup>1</sup> (U) *Deleace, Gebarer et al v. Orbis Business Intelligence Limited and Christopher Steele*, Claim No. HQ17000413, Queen's Bench (Apr. 4, 2017), para. 9 [Hereinafter "Steele Statement 1"] [Attachment A].

<sup>2</sup> (U) *Id.* at para. 10; Ken Bensinger, Miriam Elder, and Mark Schoofs, *These Reports Alleged Trump Has Deep Ties to Russia*, BUZZFEED (Jan. 10, 2017).

<sup>3</sup> (U) *Id.*

<sup>4</sup> (U) Adam Entous, Devlin Barrett and Rosalind S. Helderman, *Clinton Campaign, DNC Paid for Research that Led to Russia Dossier*, THE WASHINGTON POST (Oct. 24, 2017).

<sup>5</sup> (U) Tom Hamburger and Rosalind S. Helderman, *FBI Once Planned to Pay Former British Spy who Authored Controversial Trump Dossier*, THE WASHINGTON POST (Feb. 28, 2017).

[REDACTED]



[REDACTED]

(U) In response to the Committee's inquiries, the Chairman and Ranking Member received a briefing on March 15, 2017, from then-Director James B. Comey, Jr.

[REDACTED] That briefing addressed the Russia investigation, the FBI's relationship with Mr. Steele, and the FBI's reliance on Mr. Steele's dossier in two applications it filed for surveillance under the Foreign Intelligence Surveillance Act (FISA). Then, on March 17, 2017, the Chairman and Ranking Member were provided copies of the two relevant FISA applications, which requested authority to conduct surveillance of Carter Page. Both relied heavily on Mr. Steele's dossier claims, and both applications were granted by the Foreign Intelligence Surveillance Court (FISC). In December of 2017, the Chairman, Ranking Member, and Subcommittee Chairman Graham were allowed to review a total of four FISA applications relying on the dossier to seek surveillance of Mr. Carter Page, as well as numerous other FBI documents relating to Mr. Steele.

[REDACTED] In the March 2017 briefing with then-Director Comey, he stated that [REDACTED]

[REDACTED]

(U) Similarly, in June 2017, former FBI Director Comey testified publicly before the Senate Select Committee on Intelligence that he had briefed President-Elect Trump on the dossier allegations in January 2017, which Mr. Comey described as "salacious" and "unverified."<sup>6</sup>

[REDACTED] When asked at the March 2017 briefing why the FBI relied on the dossier in the FISA applications absent meaningful corroboration—and in light of the highly political motives surrounding its creation—then-Director Comey stated that the FBI included the dossier allegations about Carter Page in the FISA applications because Mr. Steele himself was considered reliable due to his past work with the Bureau.

[REDACTED] Indeed, the documents we have reviewed show that the FBI took important investigative steps largely based on Mr. Steele's information—and relying heavily on his credibility. Specifically, on October 21, 2016, the FBI filed its first warrant application under FISA for Carter Page. This initial application relies in part on alleged past Russian attempts to recruit Page years ago. That portion is less than five pages. The bulk of the application consists of allegations against Page that were disclosed to the FBI by Mr. Steele and are also outlined in the Steele dossier. The application appears to contain no additional information corroborating the dossier allegations against Mr. Page, although it does cite to a news article that appears to be sourced to Mr. Steele's dossier as well.

<sup>6</sup> (U) Statement of James B. Comey, Jr., Hearing of the U.S. Sen. Select Com. on Intelligence (June 8, 2017).

[REDACTED]

[REDACTED] The FBI discussed the reliability of this unverified information provided by Mr. Steele in footnotes 8 and 18 of the FISA warrant application. First, the FBI noted to a vaguely limited extent the political origins of the dossier. In footnote 8 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—"to conduct research regarding [Trump's] ties to Russia." The FBI further "speculate[d]" that Mr. Simpson "was likely looking for information that could be used to discredit [Trump's] campaign." The application failed to disclose that the identities of Mr. Simpson's ultimate clients were the Clinton campaign and the DNC.

[REDACTED] The FBI stated to the FISC that "based on [Steele's] previous reporting history with the FBI, whereby [Steele] provided reliable information to the FBI, the FBI believes [Steele's] reporting to be credible." In short, it appears the FBI relied on admittedly uncorroborated information, funded by and obtained for Secretary Clinton's presidential campaign, in order to conduct surveillance of an associate of the opposing presidential candidate. It did so based on Mr. Steele's personal credibility and presumably having faith in his process of obtaining the information.

(U) But there is substantial evidence suggesting that Mr. Steele materially misled the FBI about a key aspect of his dossier efforts, one which bears on his credibility.

[REDACTED] In the October 2016 FISA application, and in each of the three renewals, after relaying Steele's dossier allegations against Carter Page, the FBI states: "[Steele] told the FBI that he/she only provided this information to the business associate [Fusion GPS] and the FBI."<sup>7</sup> (emphasis added). Indeed, the FISA renewal application in January 2017 notes that Steele had received "[REDACTED]

[REDACTED] Yet the FISA applications note the existence of a news article dated September 23, 2016, which in particular contained some of the same dossier information about Mr. Page compiled by Mr. Steele and on which the FBI relied in its application. While not explicitly stated, this is presumably the article by Michael Isikoff of *Yahoo News*, titled "U.S. Intel Officials Probe Ties Between Trump Adviser and Kremlin." After noting that Mr. Steele had claimed to the FBI he had only provided this information to the FBI and Mr. Simpson, the application attempts to explain away the inconsistency between Mr. Steele's assertion to the FBI and the existence of the article, apparently to shield Mr. Steele's credibility on which it still relied for the renewal request. The application to the FISC said: "Given that the information contained in the September 23<sup>rd</sup> news article generally matches the information about Page that [Steele] discovered doing his/her research, [REDACTED]

[REDACTED] The FBI has failed to provide the Committee the 1021s documenting all of Mr. Steele's statements to the FBI, so the Committee is relying on the accuracy of the FBI's representation to the FISC regarding those statements.

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED] The FBI does not believe that [Steele] directly provided this information to the press" (emphasis added).

[REDACTED] In footnote 9 of its January 2017 application to renew the FISA warrant for Mr. Page, the FBI again addressed Mr. Steele's credibility. At that time, the FBI noted that it had suspended its relationship with Mr. Steele in October 2016 because of Steele's "unauthorized disclosure of information to the press." The FBI relayed that Steele had been bothered by the FBI's notification to Congress in October 2016 about the reopening of the Clinton investigation, and as a result "[Steele] independently and against the prior admonishment from the FBI to speak only with the FBI on this matter, released the reporting discussed herein [dossier allegations against Page] to an identified news organization." However, the FBI continued to cite to Mr. Steele's past work as evidence of his reliability, and stated that "the incident that led to the FBI suspending its relationship with [Mr. Steele] occurred after [Mr. Steele] provided" the FBI with the dossier information described in the application. The FBI further asserted in footnote 19 that it did not believe that Steele directly gave information to *Yahoo News* that "published the September 23 News Article."

[REDACTED] So, as documented in the FISA renewals, the FBI still seemed to believe Mr. Steele's earlier claim that he had only provided the dossier information to the FBI and Fusion—and not to the media—prior to his October media contact that resulted in the FBI suspending the relationship. Accordingly, the FBI still deemed the information he provided prior to the October disclosure to be reliable. After all, the FBI already believed Mr. Steele was reliable, he had previously told the FBI he had not shared the information with the press—and lying to the FBI is a crime. In defending Mr. Steele's credibility to the FISC, the FBI had posited an innocuous explanation for the September 23 article, based on the assumption that Mr. Steele had told the FBI the truth about his press contacts. The FBI then vouched for him twice more, using the same rationale, in subsequent renewal applications filed with the Foreign Intelligence Surveillance Court in April and June 2017.

(U) However, public reports, court filings, and information obtained by the Committee during witness interviews in the course of its ongoing investigation indicate that Mr. Steele not only provided dossier information to the FBI, but also to numerous media organizations prior to the end of his relationship with the FBI in October 2016.<sup>8</sup>

(U) In Steele's sworn court filings in litigation in London, he admitted that he "gave off the record briefings to a small number of journalists about the pre-election memoranda [i.e., the dossier] in late summer/autumn 2016."<sup>9</sup> In another sworn filing in that case, Mr. Steele further

<sup>8</sup> (U) See Steele Swornness 1; Defendants' Response to Claimants' Request for Further Information Pursuant to CPR Part 18, *Gubarev et. Al v. Orbis Business Intelligence Limited and Christopher Steele*, Claim No. HQ17D00413, Queen's Bench (May 18, 2017), [Hereinafter "Steele Statement 2"] [Attachment B]; Tom Hamburger and Rosalind S. Helderman, *FBI Once Pleared to Poy Former British Spy who Authored Controversial Trump Dossier*, THE WASHINGTON POST (Feb. 28, 2017); Simpson Transcript, on File with Sen. Comm. on the Judiciary.

<sup>9</sup> (U) Steele Statement 1 at para. 32.

[REDACTED]

stated that journalists from "the New York Times, the Washington Post, Yahoo News, the New Yorker, and CNN" were "briefed at the end of September 2016 by [Steele] and Fusion at Fusion's instruction."<sup>10</sup> The filing further states that Mr. Steele "subsequently participated in further meetings at Fusion's instruction with Fusion and the New York Times, the Washington Post, and Yahoo News, which took place mid-October 2016."<sup>11</sup> According to these court filings, "[t]he briefings involved the disclosure of limited intelligence regarding indications of Russian interference in the US election process and the possible co-ordination of members of Trump's campaign team and Russian government officials."<sup>12</sup> In his interview with the Committee, Glenn Simpson of Fusion GPS confirmed this account by Mr. Steele and his company as filed in the British court.<sup>13</sup>

[REDACTED] The first of these filings was publicly reported in the U.S. media in April of 2017, yet the FBI did not subsequently disclose to the FISC this evidence suggesting that Mr. Steele had lied to the FBI. Instead the application still relied primarily on his credibility prior to the October media incident.

[REDACTED] The FBI received similar information from a Justice Department official, Bruce Ohr, who maintained contacts with Mr. Simpson and Mr. Steele about their dossier work, and whose wife also worked for Fusion GPS on the Russia project. In an interview with the FBI on November 22, 2016, Mr. Ohr stated that Mr. Simpson gave the [REDACTED]

[REDACTED]

He also noted in the same interview that Mr. Steele was "desperate" to see that Mr. Trump was not elected president.<sup>14</sup> None of the information provided by Mr. Ohr in his interviews with the FBI was included in the FISA renewal applications, despite its relevance to whether Mr. Steele had lied to the FBI about his contacts with the media as well as its broader relevance to his credibility and his stated political motive.

<sup>10</sup> (U) Steele Statements 2 at para. 18. (emphasis added).  
[REDACTED] The filing also apparently described the media contact that resulted in the FBI's suspension of its relationship with Mr. Steele, stating: "In addition, and again at Fusion's instruction, in late October 2016 the Second Defendant briefed a journalist from Mother Jones by Skype."

<sup>11</sup> (U) *Id.*  
<sup>12</sup> (U) Simpson Transcript, On File with the Sen. Comm. on the Judiciary at 205-07.  
Dir FD-302 (Nov. 22, 2016).  
Dir FD-302 (Dec. 12, 2016).  
Dir FD-302 (Nov. 22, 2015).

[REDACTED]



Whether Mr. Steele lied to the FBI about his media contacts is relevant for at least two reasons. First, it is relevant to his credibility as a source, particularly given the lack of corroboration for his claims, at least at the time they were included in the FISA applications. Second, it is relevant to the reliability of his information-gathering efforts.

(U) Mr. Steele conducted his work for Fusion GPS compiling the "pre-election memoranda" "[b]etween June and early November 2016."<sup>17</sup> In the British litigation, Mr. Steele acknowledged briefing journalists about the dossier memoranda "in late summer/autumn 2016."<sup>18</sup> Unsurprisingly, during the summer of 2016, reports of at least some of the dossier allegations began circulating among reporters and people involved in Russian issues.<sup>19</sup> Mr. Steele also admitted in the British litigation to briefing journalists from the *Washington Post*, *Yahoo News*, the *New Yorker*, and *CNN* in September of 2016.<sup>20</sup> Simply put, the more people who contemporaneously knew that Mr. Steele was compiling his dossier, the more likely it was vulnerable to manipulation. In fact, in the British litigation, which involves a post-election dossier memorandum, Mr. Steele admitted that he received and included in it *unsolicited*—and *unverified*—allegations.<sup>21</sup> That filing implies that he similarly received *unsolicited* intelligence on these matters prior to the election as well, stating that Mr. Steele "continued to receive *unsolicited intelligence* on the matters covered by the pre-election memoranda after the US Presidential election."<sup>22</sup>

(U) One memorandum by Mr. Steele that was not published by *Buzzfeed* is dated October 19, 2016. The report alleges a [redacted] as well as [redacted]. Mr. Steele's memorandum states that his company "received this report from [redacted] US State Department," that the report was the second in a series, and that the report was information that came from a foreign sub-source who "is in touch with [redacted] a contact of [redacted] a friend of the Clintons, who passed it to [redacted]. It is troubling enough that the Clinton Campaign funded Mr. Steele's work, but that these Clinton associates were contemporaneously feeding Mr. Steele allegations raises additional concerns about his credibility.

<sup>17</sup> (U) Steele Statement 1 at para. 9.

<sup>18</sup> (U) Steele Statement 1 at para. 32.

<sup>19</sup> (U) Abramowitz Transcript, On File with the Sen. Comm. on the Judiciary (Mr. Abramowitz informed the Committee that he began hearing from journalists about the dossier before it was published, and though it was the summer of 2016).

<sup>20</sup> (U) Steele Statement 2 at para. 18 (emphasis added).

<sup>21</sup> (U) Steele Statement 1 at para. 18 and 20c.

<sup>22</sup> (U) *Id.*; see Steele Statement 2 at 4 ("Such intelligence was not actively sought, it was merely received.")

[REDACTED]

[REDACTED] Mr. Steele then apparently passed this report to the FBI.

[REDACTED] Simply put, Mr. Steele told the FBI he had not shared the Carter Page dossier information beyond his client and the FBI. The Department repeated that claim to the FISC. Yet Mr. Steele acknowledged in sworn filings that he did brief *Yahoo News* and other media organizations about the dossier around the time of the publication of the *Yahoo News* article that seems to be based on the dossier.

(U) On September 23, 2016, *Yahoo News* published its article entitled "U.S. Intel Officials Probe Ties Between Trump Adviser and Kremlin."<sup>23</sup> That article described claims about meetings between Carter Page and Russians, including Igor Sechin. Mr. Sechin is described in the article as "a longtime Putin associate and former Russian deputy prime minister" under sanction by the Treasury Department in response to Russia's actions in the Ukraine.<sup>24</sup> The article attributes the information to "a well-placed Western intelligence source," who reportedly said that "[a]t their alleged meeting, Sechin raised the issue of the lifting of sanctions with Page."<sup>25</sup> This information also appears in multiple "memoranda" that make up the dossier.<sup>26</sup>

(U) In sum, around the same time *Yahoo News* published its article containing dossier information about Carter Page, Mr. Steele and Fusion GPS had briefed *Yahoo News* and other news outlets about information contained in the dossier.

[REDACTED] These facts appear to directly contradict the FBI's assertions in its initial application for the Page FISA warrant, as well as subsequent renewal applications. The FBI repeatedly represented to the court that Mr. Steele told the FBI he did *not* have unauthorized contacts with the press about the dossier prior to October 2016. The FISA applications make these claims specifically in the context of the September 2016 *Yahoo News* article. But Mr. Steele has admitted—publicly before a court of law—that he *did* have such contacts with the press at this time, and his former business partner Mr. Simpson has confirmed it to the Committee. Thus, the FISA applications are either materially false in claiming that Mr. Steele said he did not provide dossier information to the press prior to October 2016, or Mr. Steele made materially false statements to the FBI when he claimed he only provided the dossier information to his business partner and the FBI.

[REDACTED] In this case, Mr. Steele's apparent deception seems to have posed significant, material consequences on the FBI's investigative decisions and representations to the court. Mr. Steele's information formed a significant portion of the FBI's warrant application, and the FISA application relied more heavily on Steele's credibility than on any independent verification or corroboration for his claims. Thus the basis for the warrant authorizing surveillance on a U.S. citizen rests largely on Mr. Steele's credibility. The Department of Justice has a responsibility to

<sup>23</sup> (U) Michael Isikoff, *U.S. Intel Officials Probe Ties Between Trump Adviser and Kremlin*, YAHOO NEWS (Sept. 23, 2016).

<sup>24</sup> (U) *Id.*

<sup>25</sup> (U) *Id.*

<sup>26</sup> (U) Bersinger et. al, BUZZFEED.



[REDACTED]

determine whether Mr. Steele provided false information to the FBI and whether the FBI's representations to the court were in error.

(U) Accordingly, we are referring Christopher Steele to the Department of Justice for investigation of potential violation(s) of 18 U.S.C. § 1001.

[REDACTED]

UNCLASSIFIED ATTACHMENT A



IN THE HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION

Claim No. HQ17000413

- 4 APR 2017

BETWEEN:-

- (1) ALEKSEJ GUBAREV
- (2) WEBZILLA B.V.
- (3) WEBZILLA LIMITED
- (4) XBT HOLDINGS S.A.



Claimants

-and-

- (1) ORBIS BUSINESS INTELLIGENCE LIMITED
- (2) CHRISTOPHER STEELE

Defendants

DEFENCE

References in this Defence are to paragraphs in the Particulars of Claim unless otherwise stated.

Introduction

1. Save that it is admitted that the Second and Third Claimants are hosting infrastructure companies based in the Netherlands and Cyprus respectively, no admissions are made as to paragraphs 1 and 2.
2. Paragraphs 3-5 are admitted.
3. Orbis was founded in 2009 by the Second Defendant and Christopher Burrows.
4. The Second Defendant and Christopher Burrows were formerly senior and experienced Crown servants in the Foreign and Commonwealth Office.
5. Sir Andrew Wood GCMG was the British Ambassador to Moscow between 1995 and 2000. He is an Associate Fellow of the Russia and Eurasia Programme at the Royal Institute for International Affairs at Chatham House. He is also an Associate of Orbis.

6. Fusion GPS ("Fusion") is a consultancy based in Washington DC providing research, strategic intelligence and due diligence services to clients.
7. Prior to the events in issue in this case the Defendants had developed a working relationship with Fusion over a number of years.
8. At all material times Fusion was subject to an obligation not to disclose to third parties confidential intelligence material provided to it by the Defendants in the course of that working relationship without the agreement of the Defendants.

#### The pre-election memoranda

9. Between June and early November 2016 Orbis was engaged by Fusion to prepare a series of confidential memoranda based on intelligence concerning Russian efforts to influence the US Presidential election process and links between Russia and Donald Trump.
10. The Defendants produced sixteen such memoranda. These will be referred to for convenience as "the pre-election memoranda", having been prepared before the 2016 US Presidential election. The last one was produced in the latter part of October 2016. None were produced in November 2016. None of the pre-election memoranda contained any reference to, or intelligence about, the Claimants.
11. As an Associate of Orbis, Sir Andrew Wood was aware of the Second Defendant's intelligence gathering for the pre-election memoranda.

#### Senator John McCain

12. Senator John McCain is the Chair of the US Senate Armed Services Committee and a member of the US Senate Committee on Homeland Security and Governmental Affairs.
13. David Kramer is a former US State Department civil servant and was US Assistant Secretary of State for Democracy, Human Rights, and Labor from 2008 to 2009. He is the Senior Director for Human Rights and Human Freedoms at Senator McCain's Institute for International Leadership.
14. After the election of Donald Trump as the 45<sup>th</sup> President of the United States on 8 November 2016, Sir Andrew Wood met Mr Kramer and Senator McCain. As a result of their discussions Sir Andrew arranged for the Second Defendant to meet Mr Kramer, as the representative of Senator McCain, in order to show him the pre-election memoranda on a confidential basis.



15. The meeting between the Second Defendant and Mr Kramer took place on 28 November 2018 in Surrey. Mr Kramer told the Second Defendant that the intelligence he had gathered raised issues of potential national security importance.
16. An arrangement was then made upon Mr Kramer's return to Washington for Fusion to provide Sen. McCain with hard copies of the pre-election memoranda on a confidential basis via Mr Kramer.
17. On behalf of Sen McCain, Mr Kramer requested to be provided with any further intelligence gathered by the Defendants about alleged Russian interference in the US Presidential election.

**The confidential December memorandum**

18. The Defendants continued to receive unsorted intelligence on the matters covered by the pre-election memoranda after the US Presidential election and the conclusion of the assignment for Fusion.
19. After receiving some such intelligence the Second Defendant prepared the confidential December memorandum, referred to at paragraph 8.1, on his own initiative on or around 13 December 2018.
20. The Defendants considered, correctly, that the raw intelligence in the December memorandum:
  - a. was of considerable importance in relation to alleged Russian interference in the US Presidential election;
  - b. had implications for the national security of the US and the UK; and
  - c. needed to be analysed and further investigated/verified.
21. Accordingly the Second Defendant provided a copy of the December memorandum to:
  - a. A senior UK government national security official acting in his official capacity, on a confidential basis in hard copy form; and
  - b. Fusion, by enciphered email with an instruction to Fusion to provide a hard copy to Sen. McCain via Mr Kramer.

**Liability for the publication complained of**

22. Save that it is admitted that the words complained of and set out therein were contained in the confidential December memorandum, paragraph 6 is denied.

23. It is denied that in their natural and ordinary meaning, in their proper context, the words complained of bore or were capable of bearing the meaning pleaded at paragraph 7.
24. Read in context the natural and ordinary meaning of the words complained of was that there were grounds to investigate whether the Claimants had been coerced by Russia into hacking the computers used by the US Democratic Party leadership, transmitting viruses, planting bugs, stealing data and conducting altering operations.
25. Save insofar as it is admitted above paragraph 8.1 is denied.
26. The first sentence of paragraph 8.2 is noted. This is understandable. The contents of the December memorandum were highly sensitive and the Defendants only disseminated copies of it in strict confidence as aforesaid.
27. The remainder of paragraph 8.2 is, in the premises, denied in its entirety.
28. Sub-paragraphs 8.2.1, 8.2.2 and 8.2.4 are admitted.
29. As to sub-paragraph 8.2.3:
  - a. In so far as this sub-paragraph refers to the pre-election memoranda:
    - i. The first sentence is too vague for the Defendants to plead to in any meaningful way.
    - ii. The second sentence is denied.
  - b. In so far as it refers to the confidential December memorandum:
    - i. The first sentence is again too vague for the Defendants to plead to in any meaningful way. The December memorandum was provided to the recipients identified above so that the information in it was known to the United States and United Kingdom governments at a high level by persons with responsibility for national security.
    - ii. The second sentence is denied.
30. The first sentence of sub-paragraph 8.2.5 is noted. The Defendants did not, however, provide any of the pre-election memoranda to media organizations or journalists. Nor did they authorize anyone to do so. Nor did they provide the confidential December memorandum to media organizations or journalists. Nor did they authorize anyone to do so.
31. The second sentence of sub-paragraph 8.2.5 is denied.



32. Save that it is admitted that the Second Defendant gave off the record briefings to a small number of journalists about the pre-election memoranda in late summer/autumn 2010, sub-paragraph 8.2.6 is denied.
33. Paragraph 8.3 is admitted but liability for such publication resides with BuzzFeed.
34. No admissions are made as to paragraph 8.4.
35. Paragraph 8.5 is denied. The Defendants are not liable for publication by BuzzFeed.

#### Qualified privilege

36. Further or in the alternative, the confidential December memorandum was published by the Defendants, as pleaded at paragraph 21 above, in good faith, on an occasion of qualified privilege.
37. In the circumstances set out above the Defendants were under a duty to pass the information in the December memorandum to the senior UK government national security official and Sen. McCain so that it was known to the United Kingdom and United States governments at a high level by persons with responsibility for national security. These recipients had a corresponding duty or interest to receive it in their capacities as senior representatives of those governments with such responsibilities.
38. The incidental publications to Fusion and Mr Kramer were reasonable as a means of bringing this sensitive document securely to the attention of Sen. McCain.
39. The Defendants did not publish the December memorandum to any of the said recipients with the intention it should be republished to the world at large nor did they ask any of them to republish the December memorandum to others. If any of the recipients did so with the result that it was published to the world at large the Defendants, in the circumstances, retain the protection of qualified privilege.

#### Harm

40. In relation to paragraph 9, it is admitted that publication of the words complained of by BuzzFeed (or any subsequent internet republication of those words by third parties) was likely to cause serious harm to the reputation of the First Claimant. Save as aforesaid, paragraph 9 is not admitted. In particular, it is not admitted that the publication of the words complained of by BuzzFeed (or any such subsequent republication) has caused serious financial loss to any of the Claimants or that it is likely to do so in future. The Claimants are required to prove the existence and extent of any past financial loss and/or any likely future financial loss caused by the publication of the words complained of.

41. Paragraph 10 is noted. It is not admitted that the law of each of the jurisdictions in the European Union in which the words complained of were published was and is, so far as material, the same as the law of England and Wales.
42. In relation to paragraph 11:
- a. Paragraphs 23 and 24 above are repeated and sub-paragraph 11.1 is denied;
  - b. Sub-paragraph 11.2 is admitted but it is denied that the Defendants published or caused the publication of the words complained of extremely widely;
  - c. Sub-paragraph 11.3 is not admitted;
43. The first sentence of paragraph 12 is not admitted.
44. In relation to the second sentence of paragraph 12, it is denied that the Claimants are entitled to claim damages, whether aggravated or otherwise, against the Defendants as opposed to BuzzFeed.
45. In relation to paragraphs 12.1 and 12.2, it is admitted that the Defendants did not contact the Claimants prior to the publication of the words complained of by BuzzFeed. In light of the matters pleaded above the Defendants had no reason to contact the Claimants in relation to the publication of the December memorandum by BuzzFeed.
46. Paragraph 12.3 is denied. The First, Second and Third Claimants sent a letter before action to the Defendants on 23 January 2017. The Defendants acknowledged receipt of the letter before action through a letter from their former solicitors, Schillings, on 30 January 2017. The Defendants then provided a detailed response to the letter before action four days later on 3 February 2017. The Defendants pointed out that the Claimants' letter before action did not meet the requirements contained in the Pre-Action Protocol for Defamation. In particular the letter before action:
- a. stated that McDermott Will & Emery were instructed by "affiliates" of the Second and Third Defendants, but did not provide the names or any details of those "affiliates". Nor did it state whether McDermott Will & Emery were instructed by the Fourth Claimant;
  - b. did not identify the particular publication(s) that were the subject of the prospective claim, contrary to paragraph 3.2 of the Pre-Action Protocol for Defamation;
  - c. did not identify the meaning that the First to Third Claimants attributed to the words complained of, contrary to paragraph 3.3 of the Pre-Action Protocol for Defamation.

The Defendants therefore requested the Claimants to provide the necessary information in order to enable the Defendants to provide a full response to the



proposed claim. Notwithstanding the fact that the Defendants provided a detailed response to the Claimants' letter before action within 11 days of that letter being sent, and notwithstanding the numerous deficiencies in the letter before action, on 3 February 2017 the Claimants issued and served proceedings on the Defendants. In the circumstances, the Claimants' decision to issue proceedings less than two weeks after the letter before action was precipitous, incompatible with the overriding objective in the Civil Procedure Rules, and breached the requirements of the Pre-action Protocol for Defamation.

47. It is denied that the Claimants are entitled to an injunction against the Defendants as pleaded in paragraph 13 of the Particulars of Claim or at all.

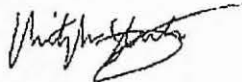
GAVIN MILLAR Q.C.

EDWARD CRAVEN

#### STATEMENT OF TRUTH

The Defendants believe that the facts set out in these Particulars of Claim are true.

Signed:



Christopher Steele

Position: Director, Orbis Business Intelligence Ltd

Date: 03 April 2017

**UNCLASSIFIED ATTACHMENT B**



IN THE HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION

Claim no. HQ17D00413

BETWEEN

- (1) ALEKSEJ GUBAREV
- (2) WEBZILLA B.V.
- (3) WEBZILLA LIMITED
- (4) XBT HOLDING S.A

Claimants

and

- (1) ORBIS BUSINESS INTELLIGENCE LIMITED
- (2) CHRISTOPHER STEELE

Defendants

**DEFENDANTS' RESPONSE TO CLAIMANTS' REQUEST FOR FURTHER  
INFORMATION PURSUANT TO CPR PART 18**

**Under paragraphs 7 and 8**

*Of: "At all material times Fusion was subject to an obligation not to disclose to third parties confidential intelligence material provided to it by the Defendants in the course of that working relationship without the agreement of the Defendants."*

**REQUESTS**

1. Whether the alleged duty of confidentiality is said to arise by contract or in equity.
2. If by contract, state whether the duty arose under (a) a general contract of retainer, or (b) specific contracts relating to the specific work.
3. In either event state whether any contract(s) relied on were written or oral; if oral, stating when and between whom they were made.

**RESPONSE**

The duty arose both by contract and in equity. A written non-disclosure agreement was concluded between the First Defendant and a representative of Fusion in January 2010 in relation to work conducted by Fusion for the First Defendant. Furthermore, Fusion was aware of the confidentiality of intelligence reports through the course of business with the Defendants and, in relation to the disclosure of the memoranda to Mr Kramer, the Second Defendant and Fusion had had specific discussions in which the confidentiality of the memoranda had been emphasised and Fusion was instructed to inform Mr Kramer of their confidentiality.

**REQUEST**

4. State whether the alleged duty not to disclose such intelligence to third parties without the prior agreement of the Defendants in the course of the working relationship extended to disclosure by Fusion to their own clients (in the clients who had commissioned the intelligence material; see paragraph 8 of the Defence).

RESPONSE

In relation to the pre-election memoranda the duty not to disclose intelligence to third parties without the prior agreement of the Defendants did not extend to disclosure by Fusion to its client(s), although the Defendants understand that copies of the memoranda were not disclosed by Fusion to its client(s).

In relation to the December memorandum, this was not prepared pursuant to any contract as stated at paragraph 18 of the Defence. The duty not to disclose this intelligence report to third parties without the prior agreement of the Defendants therefore did extend to disclosure by Fusion to its client(s).

REQUEST

5. State whether the Defendants owed any reciprocal duty of confidence to Fusion and/or Fusion's clients in relation to the intelligence they provided.

RESPONSE

Since it was not produced pursuant to the engagement with Fusion described at paragraph 9 of the Defence, the Defendants did not owe any obligation of confidence to Fusion and/or Fusion's client(s) in relation to the intelligence contained in the December memorandum.

REQUEST

6. State whether Fusion's clients, insofar as disclosure to them was permitted (see Request 4), were under any duty to the Defendants and/or Fusion not to (a) use and/or (b) disclose the intelligence, and, if so, give the particulars as to how that duty is alleged to arise.

RESPONSE

The response to question 4 above is repeated. The Defendants understood that the arrangement between Fusion and its client(s) was that intelligence would not be disclosed. As explained above, the December memorandum was not produced pursuant to the engagement referred to at paragraph 9 of the Defence and therefore disclosure of the December memorandum to their client(s) was not permitted.

Under paragraphs 9 and 10

*Of "Between June and early November 2018 Orbis was engaged by Fusion to prepare a series of confidential memoranda based on intelligence concerning Russian efforts to influence the US Presidential election process and links between Russia and Donald Trump".*

REQUEST



7. Please identify (see paragraph 6 of the Defence) Fusion's client(s) in relation to this particular engagement.

RESPONSE

This request is neither reasonably necessary nor proportionate to enable the Claimants to prepare their own case nor to understand the case they have to meet.

*Of "The Defendants produced sixteen such memoranda. These will be referred to for convenience as 'the pre-election memoranda', having been prepared before the 2016 US Presidential election. The last one was produced in the latter part of October 2016. None were produced in November 2016. None of the pre-election memoranda contained any reference to, or intelligence about, the Claimants".*

REQUEST

8. In view of the assertion that no memoranda were produced in November 2016, please state the nature of the engagement in early November 2016 as referred to in paragraph 9, and whether this engagement was performed and what intelligence it related to.

RESPONSE

The nature of the Defendants' engagement by Fusion did not change during the period between the preparation of the last pre-election memorandum on 20 October 2016 and the date of the US Presidential election. However since the Defendants did not receive any relevant intelligence concerning Russian efforts to influence the US Presidential election process and links between Russia and Donald Trump during this period, no memoranda were produced pursuant to the engagement after 20 October 2016.

Under paragraphs 12 and 13

*Of "Senator John McCain is the Chair of the US Senate Armed Services Committee and a member of the US Senate Committee on Homeland Security and Governmental Affairs" and "David Kramer is a former US State Department civil servant and was US Assistant Secretary of State for Democracy, Human Rights, and Labor from 2009 to 2009. He is the Senior Director for Human Rights and Human Freedoms at Senator McCain's Institute for International Leadership".*

REQUEST

9. Please confirm (as paragraph 29b(i) of the Defence suggests) that Senator McCain and Mr Kramer are alleged (a) to have been acting in those official capacities; and (b) only in relation to those capacities in the course of the matters pleaded in paragraphs 14 to 17 and 21b; and, if not, identify any other capacity in which they were acting and when and for what purpose(s).

RESPONSE

The Defendants believed that Senator McCain and Mr Kramer were acting only in their official capacities and were not informed of any other capacity or purpose in which they were acting. There were no grounds that led the Defendants to suspect that Senator McCain and Mr Kramer were not acting in their official capacities at any time up to and including the publication of the December memorandum to Mr Kramer.

Under paragraph 14

Of "As a result of these discussions Sir Andrew arranged for the Second Defendant to meet Mr Kramer, as the representative of Senator McCain, in order to show him the pre-election memoranda on a confidential basis".

REQUEST

10. State what is meant by 'on a confidential basis', indicating precisely what use or uses Senator McCain was/were permitted to make of the pre-election memoranda and whether these uses were specified to Senator McCain and Mr Kramer.

RESPONSE

The Defendants understood that the contents of the memoranda would be treated in the strictest confidence and would only be used by Senator McCain in his official capacity for the sole purpose of analysing, investigating and verifying their contents to enable such action to be taken as necessary for the purposes of protecting US national security. The Second Defendant expressly informed Mr Kramer that the pre-election memoranda were only to be used for this exclusive purpose before he showed Mr Kramer any of the memoranda. Mr Kramer was not at this time provided with copies of the memoranda that had been prepared as at that date, but was shown copies.

Under paragraph 15

Of "The Defendants continued to receive unsolicited intelligence on the matters covered by the pre-election memoranda after the US Presidential election and the conclusion of the assignment for Fusion".

REQUEST

11. Please state whether such intelligence was actively sought by the Second Defendant or merely received (as presently pleaded).

RESPONSE

Such intelligence was not actively sought; it was merely received.

Under paragraph 19



Of "After receiving some such intelligence the Second Defendant prepared the confidential December memorandum, referred to at paragraph 8.1, on his own initiative on or around 13 December 2016".

REQUEST

12. Please state whether the words 'on his own initiative' mean that the December memorandum was not (a) created; or (b) provided to Fusion pursuant to any contract. If not, please specify the contract in question.

RESPONSE

The December memorandum was not created or provided to Fusion pursuant to any contract.

Under paragraph 20

Of "The Defendants considered, correctly, that the raw intelligence in the December memorandum: a. was of considerable importance in relation to alleged Russian interference in the US Presidential election; b. had implications for the national security of the US and the UK; and c. needed to be analysed and further investigated/verified".

REQUEST

13. Please state whether the Second Defendant only reached this conclusion on behalf of the First Defendant or whether Christopher Burrows and/or Sir Andrew were party to his assessment.

RESPONSE

The Defendants' assessment that the pre-election memoranda and any subsequent related intelligence which they received should be disclosed to the individuals referred to at paragraph 21 of the Defence was reached following separate discussions between the Second Defendant and (i) Christopher Burrows of the First Defendant; (ii) Sir Andrew Wood (who had spoken with Senator McCain); (iii) David Kramer (who was acting on behalf of Senator McCain) and (iv) the UK national security official referred to at paragraph 21(b) of the Defence. Mr Burrows shared the Second Defendant's assessment at the relevant time. The Defendants considered that the issues were self-evidently relevant to the national security of the US, UK and their allies and that subsequent intelligence relating to these issues ought to be disclosed to the individuals referred to at paragraph 21 of the Defence. Each of the individuals with whom the Second Defendant discussed the issue shared this view at the time and, to the Second Defendant's knowledge and belief, continue to hold that view.

Under paragraph 20c and 21

REQUEST

14. Please state whether the December memorandum was provided to (a) the UK national security official and/or (b) Fusion, and/or (c) Mr Kramer and Senator McCain with the source of the allegations against the Claimants redacted or not.

RESPONSE

Information pertaining to the status of the source(s) of the intelligence contained within the December memorandum was not redacted when it was provided to either the UK national security official and/or Fusion and/or Mr Kramer and Senator McCain. The information contained within the intelligence reports pertaining to the status of the source(s) was consistent with the Defendants' conscious efforts to protect the identity of the source(s).

REQUEST

15. Please state whether the instruction to Fusion contained any express reference to confidentiality (contrast paragraph 21a which expressly refers to 'on a confidential basis').

RESPONSE

In the Second Defendant's communications with Fusion surrounding the provision of the instruction by enciphered email, it was explicitly stated that the memoranda were only to be provided to Mr Kramer for the purpose of passing them on to Senator McCain. Substantive conversations between the Second Defendant and Fusion relating to this matter were conducted using secure telephone communications. During these secure communications, the Second Defendant expressly emphasized that the December memorandum was subject to the same strict restrictions on disclosure to third parties as were contained in the written agreement described in the response to requests 1 to 3 above.

Under paragraph 21a and b

*Of 'Accordingly the Second Defendant provided a copy of the December memorandum to: a. a senior UK government national security official acting in his official capacity, on a confidential basis in hard copy form; and b. Fusion, by enciphered email with an instruction to Fusion to provide a hard copy to Sen. McCain via Mr Kramer'.*

REQUEST

16. Please state whether intelligence provided by the Defendants to Fusion was generally provided in enciphered form.



RESPONSE

Intelligence provided by the Defendants to Fusion was provided securely and where provided electronically it was provided in enciphered form.

Under paragraphs 23 and 24

*Of "It is denied that in their natural and ordinary meaning, in their proper context, the words complained of bore or were capable of bearing the meaning pleaded at paragraph 7" and "Read in context the natural and ordinary meaning of the words complained of was that there were grounds to investigate whether the Claimants had been coerced by Russia into hacking the computers used by the US Democratic Party leadership, transmitting viruses, planting bugs, stealing data and conducting altering operations".*

REQUEST

17. Please identify the context relied on and the reader(s) to whom it was allegedly known.

RESPONSE

The readers referred to are the readers of the December memorandum who accessed and read the words complained of via the article that was published on the BuzzFeed website on 10 January 2017.

The December memorandum was a raw intelligence report which contained information gathered from a confidential source(s) about various national security issues that warranted further investigation.

Further, the words complained of were published by BuzzFeed as part of an article which stressed that the contents of the dossier (which included the December memorandum) were "unverified", "unconfirmed" and contained "unverified, and potentially unverifiable allegations". The article added that "BuzzFeed News reporters in the US and Europe have been investigating the alleged facts in the dossier but have not verified or falsified them." The article reported that the President-elect's attorney, Michael Cohen, had said that allegations in the dossier "were absolutely false".

In these circumstances, readers of the words complained of were therefore aware that (i) the contents of the December memorandum did not represent (and did not purport to represent) verified facts, but were raw intelligence which had identified a range of allegations that warranted investigation given their potential national security implications; (ii) persons mentioned in the December memorandum were unlikely to have been approached for comment, and therefore many of those persons were likely to deny the allegations contained in the raw intelligence; and (iii) while the December memorandum was prepared in good faith, its content must be critically viewed in light of the purpose for and circumstances in which the information was collected.

TOP SECRET//  
PROPERTY OF THE U.S. HOUSE OF REPRESENTATIVES

Under paragraph 32

Of "Save that it is admitted that the Second Defendant gave off the record briefings to a small number of journalists about the pre-election memoranda in late summer/autumn 2016, sub-paragraph 8.2.6 is denied".

REQUEST

18. Please identify the journalists briefed by the Second Defendant and state when and how the briefing was done in each case and the gist of what was conveyed.

RESPONSE

The journalists initially briefed at the end of September 2016 by the Second Defendant and Fusion at Fusion's instruction were from the New York Times, the Washington Post, Yahoo News, the New Yorker and CNN. The Second Defendant subsequently participated in further meetings at Fusion's instruction with Fusion and the New York Times, the Washington Post and Yahoo News, which took place in mid-October 2016. In each of those cases the briefing was conducted verbally in person. In addition, and again at Fusion's instruction, in late October 2016 the Second Defendant briefed a journalist from Mother Jones by Skype. No copies of the pre-election memoranda were ever shown or provided to any journalists by, or with the authorisation of, the Defendants. The briefings involved the disclosure of limited intelligence regarding indications of Russian interference in the US election process and the possible co-ordination of members of Trump's campaign team and Russian government officials.

REQUEST

19. Please state what is meant by 'off the record' and, in particular whether it means:

- (a) The information provided was not to be published (but might be used);
- (b) The information might be published but not attributed to the Defendants in any way;
- (c) As (b), but the Defendants could be generically described, but not by name.

RESPONSE

The Second Defendant understood that the information provided might be used for the purpose of further research, but would not be published or attributed. The Defendants repeat that no off the record briefing ever took place concerning the December memorandum, and no copies of any of the pre-election memoranda or the December memorandum were ever provided to journalists by, or with the authorisation of, the Defendants.

REQUEST

20. Please state whether these terms were agreed to by the journalists concerned.



RESPONSE

The Second Defendant was told by Fusion that the facts had been explained to the relevant journalists in advance by them and the Second Defendant reinforced the basis on which he was speaking to each of the journalists he met in person. None of the journalists raised any objection.

Under paragraphs 36 to 39

REQUEST

21. Please state whether the defence of qualified privilege is relied on by the Defendants if they are held to be liable for publication to the world at large as distinct from the admitted publication to the individuals identified by the Defendants in the Defence.

RESPONSE

Yes.

STATEMENT OF TRUTH

The Defendants believe that the facts stated in this Response are true.

Signed:



Nicola Cain

Position: Legal Director, RPC; Defendants' legal representative

Date: 18 May 2017

Claim No. HQ17D00413

IN THE HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION

BETWEEN

- (1) ALEKSEJ GUBAREV
- (2) WEBZILLA B.V.
- (3) WEBZILLA LIMITED
- (4) XBT HOLDING S.A.

Claimants

and

(1) ORBIS BUSINESS INTELLIGENCE  
LIMITED

(2) CHRISTOPHER STEELE

Defendants

---

DEFENDANTS' RESPONSE TO  
PART 18 REQUEST

---

RPC  
Tower Bridge House  
St Katharine's Way  
London  
E1W 1AA  
T: 020 3060 6003

Reference: ORB4.1

Solicitors for the Defendants

T10-0377270-01



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U.S. HOUSE OF REPRESENTATIVES  
PERMANENT SELECT COMMITTEE  
ON INTELLIGENCE

450 The Capitol  
Washington, DC 20515  
(202) 225-4121

Mr. Boente  
Acting Deputy Attorney General  
United States Department of Justice  
950 Pennsylvania Ave, NW  
Washington, D.C. 20530

March 8, 2017

The Honorable Dana Boente  
Acting Deputy Attorney General  
United States Department of Justice  
950 Pennsylvania Ave, NW  
Washington, D.C. 20530

Dear Acting Deputy Attorney General Boente,

The House Permanent Select Committee on Intelligence (the Committee) is aware of recent media reports indicating the possible existence of Foreign Intelligence Surveillance Act (FISA) applications submitted by the Department of Justice (DoJ) in 2016, and/or Foreign Intelligence Surveillance Court (FISC) orders or criminal warrants pursuant to Title III of the Omnibus Crime Control and Safe Streets Act of 1968 that may have authorized the collection of communications and/or information regarding Presidential candidate Donald J. Trump or his associates in 2016.

For the purposes of this letter, "associates" includes any Trump campaign surrogates, advisors, or employees; any Trump Organization surrogates, advisors, or employees; and family, friends, and business associates of Mr. Trump.

Accordingly, the Committee requests the following information, if it exists:

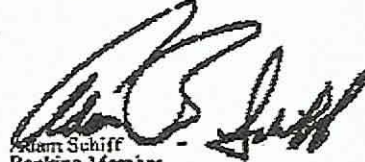
1. Any and all copies of any FISA applications submitted to the FISC by the DoJ in 2016 regarding then Presidential candidate Donald J. Trump or his associates.
2. Any and all copies of any orders issued by the FISC in 2016 regarding then Presidential candidate Donald J. Trump or his associates.
3. Any and all copies of any warrant issued by a Federal Judge or Magistrate pursuant to Title III of the Omnibus Crime Control and Safe Streets Act of 1968 in 2016 regarding then Presidential candidate Donald J. Trump or his associates.

We seek copies of the foregoing documents, if they exist, no later than March 13, 2017.

Sincerely,

*Dear Nunes*

Devin Nunes  
Chairman



Adam Schiff  
Ranking Member

Copy to: The Honorable James Comey, Director, Federal Bureau of Investigation

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U.S. Department of Justice  
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

March 17, 2017

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

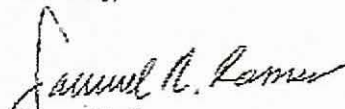
The Honorable Adam B. Schiff  
Ranking Member  
Permanent Select Committee on Intelligence  
U.S. House of Representatives  
Washington, DC 20515

Dear Chairman Nunes and Congressman Schiff:

Enclosed please find classified documents responsive to your request, which we are providing for review only by each of you and for return to us today. In addition, pursuant to our agreement, one staff member for each of you, who has the requisite clearances, also may review the materials. In the event that either of you is not available today to review these materials, you may designate one staff member with the requisite clearances to review them in your stead. An attorney from this office will remain with the documents at all times and return with them to the Department today.

We hope that this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,

  
Samuel R. Ramer  
Acting Assistant Attorney General



Devin Nunes, California, Chairman  
 K. Michael Conaway, Texas  
 Peter T. King, New York  
 Patrick A. Lehmann, New Jersey  
 Thomas J. Rice, Florida  
 Virginia Ross Lujan, Florida  
 Michael R. Turner, Ohio  
 Brett R. Westbrook, Ohio  
 Chris Stewart, Utah  
 Bob Frankford, Arkansas  
 Trey Gowdy, South Carolina  
 Frank M. Wolf, New York  
 Will Hurd, Texas  
 John R. Garamendi, California  
 Raul Grijalva, Arizona  
 James A. Moran, Connecticut  
 Tom A. Harkin, Minnesota  
 Andre Carson, Indiana  
 Jacky Spertus, California  
 Mike Blumenthal, Rhode Island  
 Eric Swalley, California  
 Anthony G. Pizzi, Texas  
 Brian H. Schatz, Washington

Paul D. Ryan, Speaker of the House  
 Nancy Pelosi, Democratic Leader

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**U.S. HOUSE OF REPRESENTATIVES**  
 PERMANENT SELECT COMMITTEE  
 ON INTELLIGENCE

HVC-304, THE CAPITOL  
 WASHINGTON, DC 20515  
 (202) 225-4121  
 DANIEL NESEB  
 STAFF DIRECTOR  
 MICHAEL BAKER  
 MEMBER STAFF

March 15, 2017

The Honorable Admiral Michael Rogers  
 Director, National Security Agency  
 Fort Meade, MD 20755

The Honorable James Comey  
 Director, Federal Bureau of Investigation  
 Washington, D.C. 20535

The Honorable Mike Pompeo  
 Director, Central Intelligence Agency  
 Washington, D.C. 20505

Dear Directors Rogers, Comey, and Pompeo:

As you know, the Committee has been very concerned regarding the purported unauthorized disclosures of classified information, particularly when they pertain to intelligence collection on, or related to, U.S. persons (USP). To take a prominent example, a January 12, 2017 article in a major newspaper was the first to claim that "Retired Lt. Gen. Michael T. Flynn, [then President-Elect] Trump's choice for national security adviser . . . phoned Russian Ambassador Sergey Kislyak several times on Dec. 29."

Such stories would appear to contain the unauthorized disclosure of USP identities. This potential misuse is a key reason why the Intelligence Community (IC) has developed robust "minimization procedures" for the protection of USP information, including requiring the "masking" of USP identities in most circumstances.

However, as recent news stories seem to illustrate, individuals talking to the media would appear to have wantonly disregarded these procedures. The Committee is concerned that USP identifiable information may have been mishandled in violation of approved minimization and dissemination procedures pursuant to statute and/or Executive Order 12333, as amended. Therefore, no later than Friday, March 17, 2017, each of your agencies should provide the Committee with the following:

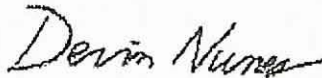
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1. All specific policies and/or procedures each agency employs to make a determination to unmask and disseminate the identity of a USP; specifically, the Committee requests the approval process required to authorize such a dissemination within and outside the agency, including the number of individuals who can approve an unmasking in each agency;
2. The total number of disseminations of any unmasked USP identities between June 2016 and January 2017, if they exist;
3. If they exist, the names of any unmasked USPs whose identities were disseminated in response to requests from IC agencies, law enforcement, or senior Executive Branch officials between June 2016 and January 2017, and that relate to Presidential candidates Donald J. Trump and Hillary Rodham Clinton and their associates in 2016;<sup>1</sup>
4. If they exist, the names of any IC agencies, law enforcement agencies, and/or senior Executive Branch officials that requested and/or authorized the unmasking and dissemination of USP information relating to the specific individuals and entities specified in request #3 above, as well as the titles of all specific recipients of that unmasked USP information; and
5. If it exists, the stated reason, pursuant to the relevant minimization procedures, for unmasking each USP identity relating to request #3 above.

We appreciate your prompt attention to this request. If you have any questions regarding the foregoing, please contact the Committee at (202) 225-4121.

Sincerely,



Devin Nunes  
Chairman



Adam B. Schiff  
Ranking Member

Copy to:  
The Honorable Michael Dempsey, Acting Director of National Intelligence

<sup>1</sup> For the purposes of this letter, "associates" include any campaign surrogates, advisors, or employees; any Trump Organization or Clinton Foundation surrogate, advisors, or employees; and family, friends, and business associates of Mr. Trump and Mrs. Clinton.

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U.S. Department of Justice  
Federal Bureau of Investigation

Washington, D.C. 20535-0001

April 4, 2017

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

Honorable Adam B. Schiff  
Ranking Member  
Permanent Select Committee on Intelligence  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman and Ranking Member:

This responds to your letter dated March 15, 2017 to Admiral Rogers, National Security Agency; Director Pompeo, Central Intelligence Agency; and Director Comey, Federal Bureau of Investigation (FBI), requesting information concerning each agency's policies and procedures relating to the dissemination of U.S. person information.

As we have discussed with your staffs on several occasions, we welcome an opportunity to brief the Committee concerning the FBI's policies and procedures in order to identify information held by the FBI that is of interest to the Committee.

We appreciate your continued support for the FBI and its mission. Please contact this office if we can be of further assistance.

Sincerely,

Gregory A. Brower  
Assistant Director  
Office of Congressional Affairs

Dean Rivera, California, Chairman

K. Michael Conaway, Texas  
Peter T. King, New York  
Frank A. Loulakis, New Jersey  
Thomas J. Rosene, Florida  
Heard Sobel-Litman, Florida  
Michael R. Turner, Ohio  
Steve H. Yarbrough, Ohio  
Chris Stewart, Utah  
Mark Gooden, Pennsylvania  
Trey Gowdy, South Carolina  
Ellen M. Sotomayor, New York  
Will Hurd, Texas

Adam B. Smith, California,  
Ranking Member

James A. Rimes, Connecticut  
Tom A. Sawyer, Alabama  
Arlund Cassin, Indiana  
Jackie Speier, California  
Mimi Walters, Florida  
Eliot L. Engel, California  
Joseph Cao, Texas  
Gerry Heckler, Washington

Paul D. Ryan, Speaker of the House  
Nancy Pelosi, Democratic Leader

UNCLASSIFIED//COMMITTEE SENSITIVE

**U.S. HOUSE OF REPRESENTATIVES  
PERMANENT SELECT COMMITTEE  
ON INTELLIGENCE**

HVC-304, THE CAPITOL  
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Stanley Nelson  
Staff Director

Michael Baker  
Member Staff Director

May 9, 2017

VIA CERTIFIED U.S. AND ELECTRONIC MAIL

The Honorable Jeff Sessions  
U.S. Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue N.W.  
Washington, D.C. 20530

Dear General Sessions:

As part of its bipartisan investigation into Russian active measures directed at the 2016 U.S. election, the House Permanent Select Committee on Intelligence requests that you produce certain documents and other materials to the Committee and arrange for your participation in a voluntary, transcribed interview at the Committee's offices.

First we respectfully ask that you produce to the Committee, by no later than the close of business on May 22, the following:

Any documents, records, electronically stored information including e-mail, communication, recordings, data and tangible things (including, but not limited to, graphs, charts, photographs, images and other documents) regardless of form, other than those widely available (e.g., newspaper articles) that reasonably could lead to the discovery of any facts within the investigation's publicly-announced parameters.

In complying with this request, we ask that you furnish to the Committee, in unredacted form, any and all responsive material in your actual or constructive possession, custody, or control or otherwise available to you, including responsive material possessed by any third party to be transferred to your possession and shared with the Committee. This request is also made on an ongoing basis: if after making an initial production to the Committee you find additional responsive material, you should produce that material to the Committee.

To the extent not encompassed by the above request, this letter also requests preservation of all documents, records, electronically stored information, recordings, data and tangible things (including, but not limited to, graphs, charts, photographs, images and other documents) regardless of form, other than those widely available (e.g., newspaper articles), related to the Committee's investigation, your interview, and any ancillary matters.



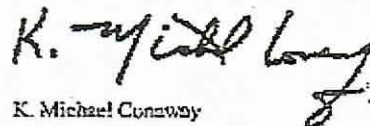
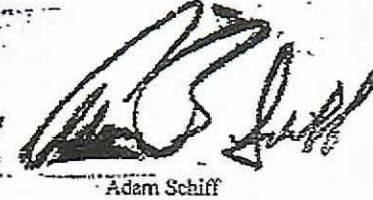
UNCLASSIFIED//COMMITTEE SENSITIVE

Should it become necessary to do so, the Committee may supplement the document request contained in this letter at any time.

Committee staff will work with you to arrange your interview, at a time and date subsequent to your production of documents to the Committee. The interview may cover any topic within the publicly-announced parameters of the Committee's investigation, including Russian cyber activities directed against the 2016 U.S. election, potential links between Russia and individuals associated with political campaigns, the U.S. government's response to these Russian active measures, and related leaks of classified information.

Should you have any questions at any time, please contact Committee staff at (202) 225-4121. If you are represented by an attorney, please forward this letter to your attorney, and have him or her contact the Committee on your behalf.

Sincerely,

K. Michael Conway  
 Member of Congress

Adam Schiff  
 Ranking Member

Attachment: Parameters for Russia Investigation

Down Name, California, Chairman

- K. Michael Conaway, Texas
- Peter T. King, New York
- Frank A. Lautenberg, New Jersey
- Thomas J. Roscoe, Florida
- Marsha Blackburn, Florida
- Michael R. Turner, Ohio
- Walt R. Lonsky, Ohio
- Chris Stenerson, Utah
- Mark Crutcher, Alabama
- Trey Gowdy, South Carolina
- Greg H. Steube, New York
- Walt H. Jones, Texas

Adam B. Schiff, California, Ranking Member

- James A. Moran, Connecticut
- Tom A. DeLay, Alabama
- Paula Green, Indiana
- Jason Ross, California
- Nita Lowey, Illinois
- Mike Simpson, California
- Joseph R. Pitts, Texas
- Clayton H. Jones, Washington

Paul D. Ryan, Speaker of the House, Majority Floor, Offspring Leader

UNCLASSIFIED//COMMITTEE SENSITIVE

**U.S. HOUSE OF REPRESENTATIVES**

PERMANENT SELECT COMMITTEE  
ON INTELLIGENCE

HVC-300, THE CAPITOL  
WASHINGTON, DC 20515  
(202) 225-4121

QUINCY BELSH  
STAFF DIRECTOR

NICHOLE DUNN  
KENNEDY STAFF DIRECTOR

May 9, 2017

VIA CERTIFIED U.S. AND ELECTRONIC MAIL

Ms. Mary McCord  
Acting Assistant Attorney General  
U.S. Department of Justice  
National Security Division  
950 Pennsylvania Avenue N.W.  
Washington, D.C. 20530

Dear Ms. McCord:

As part of its bipartisan investigation into Russian active measures directed at the 2016 U.S. election, the House Permanent Select Committee on Intelligence requests that you produce certain documents and other materials to the Committee and participate in a voluntary, transcribed interview at the Committee's offices.

First we respectfully ask that you produce to the Committee, by no later than the close of business on May 22, the following:

Any documents, records, electronically stored information including e-mail, communication, recordings, data and tangible things (including, but not limited to, graphs, charts, photographs, images and other documents) regardless of form, other than those widely available (e.g., newspaper articles) that reasonably could lead to the discovery of any facts within the investigation's publicly-announced parameters.

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UNCLASSIFIED//COMMITTEE SENSITIVE

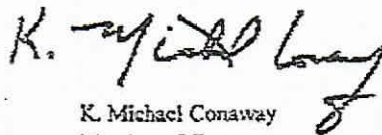
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Should you have any questions at any time, please contact Committee staff at (202) 225-4121. If you are represented by an attorney, please forward this letter to your attorney, and have him or her contact the Committee on your behalf.

Sincerely,



K. Michael Conway  
Member of Congress



Adam Schiff  
Ranking Member

Attachment: Parameters for Russia Investigation



U.S. Department of Justice  
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

JUL 07 2017

The Honorable K. Michael Conaway  
Permanent Select Committee on Intelligence  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Adam Schiff  
Ranking Member  
Permanent Select Committee on Intelligence  
U.S. House of Representatives  
Washington, DC 20515

Dear Congressman Conaway and Congressman Schiff:

This responds to your letters to the Attorney General and to then-Acting Assistant Attorney General Mary McCord of the National Security Division, both dated May 9, 2017, which requested documents in connection with the Committee's investigation into Russian active measures directed at the 2016 U.S. election.

As you know, on May 17, 2017, the Department of Justice (Department) announced the appointment of Robert S. Mueller III to serve as Special Counsel to oversee the previously-confirmed FBI investigation of Russian government efforts to influence the 2016 presidential election and related matters. We are advised that the Special Counsel has begun to take steps to fulfill these responsibilities. Under these circumstances and consistent with the Department's long-standing policy regarding the confidentiality and sensitivity of information relating to pending matters, the Department is not prepared to respond further to your requests at this time.

We appreciate the Committee's interests in this matter and hope that this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance about any other matter.

Sincerely,

Samuel R. Ramer  
Acting Assistant Attorney General





UNCLASSIFIED//COMMITTEE SENSITIVE

Should it become necessary to do so, the Committee may supplement the document request contained in this letter at any time.

Committee staff will work with you to arrange your interview, at a time and date subsequent to your production of documents to the Committee. The interview may cover any topic within the publicly-announced parameters of the Committee's investigation, including Russian cyber activities directed against the 2016 U.S. election, potential links between Russia and individuals associated with political campaigns, the U.S. government's response to these Russian active measures, and related leaks of classified information.

Should you have any questions at any time, please contact Committee staff at (202) 225-4121. If you are represented by an attorney, please forward this letter to your attorney, and have him or her contact the Committee on your behalf.

Sincerely,



K. Michael Conaway  
Member of Congress



Adam Schiff  
Ranking Member

Attachment: Parameters for Russia Investigation





U.S. Department of Justice  
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

JUL 27 2017

The Honorable K. Michael Conaway  
Permanent Select Committee on Intelligence  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Adam Schiff  
Ranking Member  
Permanent Select Committee on Intelligence  
U.S. House of Representatives  
Washington, DC 20515

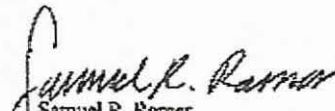
Dear Congressman Conaway and Congressman Schiff:

This responds to your letter to Federal Bureau of Investigation (FBI) Acting Director Andrew McCabe, dated May 16, 2017, which requested documents in connection with the Committee's investigation into Russian active measures directed at the 2016 U.S. election.

As you know, on May 17, 2017 the Department of Justice (Department) announced the appointment of Robert S. Mueller III to serve as Special Counsel to oversee the previously-confirmed FBI investigation of Russian government efforts to influence the 2016 presidential election and related matters. We are advised that the Special Counsel has begun to take steps to fulfill these responsibilities. Under these circumstances and consistent with the Department's long-standing policy regarding the confidentiality and sensitivity of information relating to pending matters, the Department is not prepared to respond further to your request at this time.

We appreciate the Committee's interests in this matter and hope that this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance about any other matter.

Sincerely,

  
Samuel R. Ramer  
Acting Assistant Attorney General

John R. And. [REDACTED]

X. MICHAEL [REDACTED]  
FRANK T. [REDACTED]  
THOMAS J. [REDACTED]  
MICHAEL R. [REDACTED]  
DAN A. [REDACTED]  
DICK [REDACTED]  
FRED [REDACTED]  
TERRY [REDACTED]  
DICK [REDACTED]  
RALPH [REDACTED]

ADAM [REDACTED]  
ROBERT [REDACTED]

JACOB [REDACTED]  
TAMM [REDACTED]  
ARTHUR [REDACTED]  
WALTER [REDACTED]  
JIM [REDACTED]  
JAMES [REDACTED]  
DANN [REDACTED]

Post Office [REDACTED]  
Washington, D.C. [REDACTED]

U.S. HOUSE OF REPRESENTATIVES  
PERMANENT SELECT COMMITTEE  
ON INTELLIGENCE

R/C-924, THE CAPITOL  
WASHINGTON, DC 20515  
(202) 225-4121

Phone [REDACTED]  
Fax [REDACTED]  
E-mail [REDACTED]

May 17, 2017

Mr. Robert Mueller  
Special Counsel  
U.S. Department of Justice  
Washington, D.C. 20530

Mr. Andrew McCabe  
Acting Director  
Federal Bureau of Investigation  
Washington, D.C. 20535

Dear Mr. Mueller and Acting Director McCabe:

Mr. Mueller's appointment as Special Counsel is a necessary and positive development in the Department of Justice's investigation regarding Russia. As part of its own, bipartisan inquiry into Russian active measures, to include counterintelligence concerns, the Committee will be conducting rigorous oversight to ensure that the Department of Justice's work, to include the ongoing counterintelligence investigation regarding Russia by the Federal Bureau of Investigation, is not impeded or interfered with in any way.

Accordingly the Committee requests that the Department of Justice, including the Federal Bureau of Investigation, preserve and produce to the Committee:

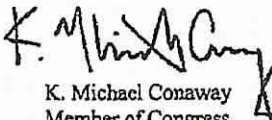
- (1) copies of all documents, records, electronically stored information including e-mail, communication, recordings, data and tangible things, regardless of form, other than those widely available (e.g., newspaper articles) that reference Mr. Comey's dismissal as FBI Director, and that are potentially relevant to the Bureau's counterintelligence investigation.
- (2) all documents memorializing conversations between the President and Mr. Comey regarding his activities as Director, to include all memoranda, notes, or other documents regarding such conversations, that are potentially relevant to the Bureau's counterintelligence investigation.



We would appreciate your written reply, and the fulfillment of this request, by no later than the close of business on May 23.

Should you have any questions at any time, please contact Committee staff at (202) 225-4121.

Sincerely,

  
K. Michael Conaway  
Member of Congress

  
Adam Schiff  
Ranking Member



U.S. Department of Justice  
Federal Bureau of Investigation

Washington, D.C. 20535-0001

July 26, 2017

Honorable K. Michael Conaway  
Member of Congress  
Permanent Select Committee on Intelligence  
U.S. House of Representatives  
Washington, DC 20515

Honorable Adam Schiff  
Ranking Member  
Permanent Select Committee on Intelligence  
U.S. House of Representatives  
Washington, DC 20515

Dear Congressman Conaway and Ranking Member Schiff:

This is in response to your letter to Acting Director McCabe and Special Counsel Robert Mueller dated May 17, 2017, seeking all documents, records, and data that reference "Mr. Comey's dismissal as FBI Director" that are "potentially relevant to the FBI's counterintelligence investigation" of Russian interference in the 2016 Presidential election.

As you know, Acting Attorney General Rosenstein announced the appointment of a Special Counsel "to conduct the investigation confirmed by then-FBI Director James B. Comey in testimony before the House Permanent Select Committee on Intelligence on March 20, 2017, including: (i) any links and/or coordination between the Russian government and individuals associated with the campaign of President Donald Trump; and (ii) any matters that arose or may arise directly from the investigation; and (iii) any other matters within the scope of 28 C.F.R. § 600.4(a)." As a result, your request seeks investigative materials related to an ongoing investigation, and, consistent with longstanding Department of Justice policy, we would decline to produce those materials at this time.

In addition, you requested all documents memorializing communications between the President and then FBI Director Comey. We are advised that the Special Counsel's Office and the Department of Justice have provided the Committee with access to the memoranda and documents of former FBI Director Comey. In light of that accommodation, we believe this request has been addressed.



Honorable K. Michael Conaway and Honorable Adam Schiff

Please contact this office if we can be of assistance concerning other matters.  
We appreciate your continued support for the FBI and its mission.

Sincerely,



Gregory A. Brower  
Assistant Director  
Office of Congressional Affairs

Doris Matsui, California, Democrat

E. Michael McCarty, Texas  
New York, New York  
Francis A. Proulx, Massachusetts  
Thomas J. Rice, South Carolina  
Kirsten Gillibrand, New York  
Michael Turner, Ohio  
Dan Claitor, Kansas  
Cliff Bentz, Oregon  
Rick Warren, California  
Tommy Green, South Carolina  
Kerry Benoit, Louisiana  
William L. Tompkins, Texas

Adam Smith, Colorado  
Mark E. Amodeo, Nevada

James A. Moran, Connecticut  
Tom A. Latham, Alabama  
APRIL CLAYTON, Indiana  
LARRY CROWLEY, California  
MIKE QUINN, Illinois  
RICHARD BLUMENTHAL, Connecticut  
MARC LUKATEL, Texas  
LARRY BROWN, Washington

Paul G. Ryan, Speaker of the House  
Harrisburg, Pennsylvania 17104

U.S. HOUSE OF REPRESENTATIVES  
PERMANENT SELECT COMMITTEE  
ON INTELLIGENCE

HVC-304, THE CAPITOL  
WASHINGTON, DC 20515  
(202) 225-4121  
JAMES NELSON  
STAFF DIRECTOR  
TREVOR B. SORRELL  
MANAGING DIRECTOR

September 1, 2017

The Honorable Jeff Sessions  
Attorney General  
United States Department of Justice  
950 Pennsylvania Ave, N.W.  
Washington, D.C. 20530

Dear Attorney General Sessions:

On August 24, 2017, the House Permanent Select Committee on Intelligence ("Committee") served subpoenas on the Attorney General, in his capacity as head of the Department of Justice ("DOJ"), and the Director of the Federal Bureau of Investigation ("FBI") for production of documents relevant to the Committee's ongoing investigation of Russian interference in the 2016 U.S. presidential election, including allegations of collusion between the Trump campaign and the Russians.

The subpoenas directed DOJ and FBI to produce any and all documents relating to the agencies' relationship with former British Secret Intelligence Service officer Christopher Steele and/or the so-called "Trump Dossier," including those memorializing FBI's relationship with Mr. Steele, any payments made to Mr. Steele, and efforts to corroborate information provided by Mr. Steele and his sub-sources—whether directly or via Fusion GPS. The subpoenas also directed DOJ and FBI to provide copies of any Foreign Intelligence Surveillance Act (FISA) applications submitted to the Foreign Intelligence Surveillance Court (FISC)—whether or not approved by the FISC—incorporating information provided by Mr. Steele, his sub-sources, and/or Fusion GPS.

Resort to compulsory process was necessary because of DOJ's and FBI's insufficient responsiveness to the Committee's numerous Russia-investigation related requests over the past several months. On multiple occasions, through written requests and direct engagements, the Committee has sought but failed to receive responsive testimony or documents from DOJ and FBI. For example, to date the Committee has not received a meaningful response to its May 9, 2017, request to Attorney General Sessions. Additionally, on May 16, 2017, the Committee sent a letter asking then-Acting Director Andrew McCabe to participate in a voluntary interview, and produce relevant documents. The Committee received no reply until May 27—more than two months later—when DOJ declined the interview request and indicated that "the Department is not prepared to respond further to your request at this time."



Previously, on March 8, the Committee sought from DOJ certain documents, including relevant FISA applications and FISC orders, and on March 17 was allotted two billets to review responsive documents on a read-and-return basis. The Committee was not provided a copy of these documents, and the Committee's request to review them again was denied.

The subpoenas issued on August 24 required production no later than 12:00pm on September 1, 2017. Neither DOJ nor FBI provided any documents by the deadline. On the afternoon of August 31, less than 24 hours before the due date, the Committee received an initial response from the DOJ Office of Legislative Affairs requesting—on behalf of both DOJ and FBI—additional time to comply with the subpoenas.

The Committee requires timely production of the subpoenaed documents in order to execute its oversight responsibilities on behalf of the American public and fully evaluate the actions of both DOJ and the FBI. There is no legitimate basis for DOJ's failure to meaningfully engage the Committee until the eve of the deadline or begin production as a show of good faith.

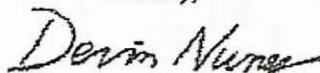
Moreover, there is no legitimate basis for DOJ's request for additional time to comply, because DOJ and the FBI are well aware of the identity of the requested documents. Indeed, as noted above, at least some of them have already been compiled and made temporarily available for the Committee's review, and the remaining requested documents are readily identifiable.

Notwithstanding these concerns, the Committee hereby grants an additional thirteen (13) days for full compliance and production, to occur no later than 9:00 a.m. on September 14, 2017, at the local specified in the original subpoena. This revised deadline will not be extended.

In the alternative, if all responsive documents are not produced by the revised deadline, the Attorney General and the Director of the FBI shall appear before the Committee at 9:00 am on September 14, 2017, in Room HVC-210 of the U.S. Capitol during an open hearing, to explain under oath DOJ's and FBI's unwillingness or inability to comply in full with the subpoenas issued on August 24.

Please be advised that, in the event that DOJ or FBI fails to provide the documents in full or testimony described above, the Committee expressly reserves its right to proceed with any and all available legal options—including reporting to the full House of Representatives a resolution to hold the Attorney General and Director of the FBI in contempt of Congress, pursuant to 2 U.S.C. §§ 192, 194.

Sincerely,



Devin Nunes  
Chairman

On-Staff, California, Director

E. Walter Company, Texas  
Pete C. King, New York  
Frank A. LoBiondo, New Jersey  
Thomas J. Rooney, Florida  
Tommy Frisk, Michigan  
Michael R. Turner, Ohio  
Randy Abrams, Ohio  
Drew G. Eschbach, Virginia  
Tom Clapper, Arkansas  
Trey Gowdy, South Carolina  
Tim W. Swartz, New York  
William Rouse

Allen D. Smith, California  
Nancy Mace

David A. House, Connecticut  
Fred A. Bishop, Illinois  
Arlene D. Spang, Virginia  
James C. Hahn, Delaware  
Mark G. Miller, Utah  
Eric Swalley, California  
James C. Hahn, Texas  
Dermot O'Donoghue, Washington

Paul D. Ryan, Director of the House  
Republican Conference

U.S. HOUSE OF REPRESENTATIVES  
PERMANENT SELECT COMMITTEE  
ON INTELLIGENCE

HVC-304, THE CAPITOL  
WASHINGTON, DC 20515  
(202) 225-4121

DAVID HELSON  
Staff Director

TRACY B. SPOFFORD  
Executive Staff Director

September 1, 2017

The Honorable Christopher Wray  
Director  
Federal Bureau of Investigation  
935 Pennsylvania Ave, N.W.  
Washington, D.C. 20530

Dear Director Wray:

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Resort to compulsory process was necessary because of DOJ's and FBI's insufficient responsiveness to the Committee's numerous Russia-investigation related requests over the past several months. On multiple occasions, through written requests and direct engagements, the Committee has sought but failed to receive responsive testimony or documents from DOJ and FBI. For example, to date the Committee has not received a meaningful response to its May 9, 2017, request to Attorney General Sessions. Additionally, on May 16, 2017, the Committee sent a letter asking then-Acting Director Andrew McCabe to participate in a voluntary interview, and produce relevant documents. The Committee received no reply until May 27—more than two months later—when DOJ declined the interview request and indicated that "the Department is not prepared to respond further to your request at this time."



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The Committee requires timely production of the subpoenaed documents in order to execute its oversight responsibilities on behalf of the American public and fully evaluate the actions of both DOJ and the FBI. There is no legitimate basis for FBI's failure to meaningfully engage the Committee until the eve of the deadline or begin production as a show of good faith.

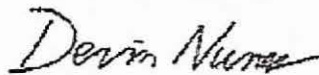
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Please be advised that, in the event that DOJ or FBI fails to provide the documents in full or testimony described above, the Committee expressly reserves its right to proceed with any and all available legal options—including reporting to the full House of Representatives a resolution to hold the Attorney General and Director of the FBI in contempt of Congress, pursuant to 2 U.S.C. §§ 192, 194.

Sincerely,



Devin Nunes  
Chairman

Griff Tucker, California, Democratic

K. Michael Conaway, Texas  
Paul J. Ryan, New York  
Patrick J. Toomey, Pennsylvania  
Thomas J. Harkin, Illinois  
Anthony G. Scarpa, Ohio  
Eric S. Lipton, Ohio  
Clifford E. Ladd, Virginia  
Dwight D. Darden, Arkansas  
Tommy Green, North Carolina  
Clay H. Hunt, New York  
W.T. Clift, Texas

James B. Gohmert, California  
Randy McNair

James A. Himes, Connecticut  
Tom A. Graves, Alabama  
Andre Carson, Indiana  
Jackie Speier, California  
Lizzy Cocheo, Illinois  
Eric Swalwell, California  
Robert Gertzel, Texas  
Cory A. Mills, Washington

Paul D. Ryan, Speaker of the House  
Clayton Kopp, Democratic Liaison

U.S. HOUSE OF REPRESENTATIVES  
PERMANENT SELECT COMMITTEE  
ON INTELLIGENCE

HVC-304, THE CAPITOL  
WASHINGTON, DC 20515  
(202) 225-4121

Director for the  
Chief of Staff  
Timothy S. Buchanan  
Member Staff Director

September 5, 2017

The Honorable Jeff Sessions  
Attorney General  
United States Department of Justice  
950 Pennsylvania Ave, N.W.  
Washington, D.C. 20530

Dear Attorney General Sessions:

As explained in my letter of [September 1, 2017], if the Department of Justice fails to comply in full with the subpoena for production of documents issued by the House Permanent Select Committee on Intelligence (Committee) on August 24, 2017, the Committee requires that Attorney General Jeff Sessions appear before the Committee on September 14, 2017 to explain that failure. The accompanying subpoena, issued today, is intended to ensure compliance with that requirement. Should the Department of Justice comply in full and in a timely manner with the Committee's subpoena of August 24, 2017, then the Attorney General's appearance will not be necessary, and the appearance subpoena dated September 5, 2017, will be withdrawn.

Sincerely,  
  
Devin Nunes  
Chairman



Dear Sirs, Citizens, Chairman

C. Michael Coleman, Texas  
Paul F. Siro, New York  
Frank A. Lautenberg, New Jersey  
Robert J. Reagon, Florida  
Charles W. Stenholm, Texas  
Mike R. Turner, Ohio  
Lamar Smith, Texas  
Eric Lipton, Ohio  
Dwight Evans, Ohio  
Rick Warren, Alabama  
Tim W. Lundy, South Carolina  
Eliot L. Engel, New York  
Richard Hanna, New York

Adam B. Schiff, California  
Rosa Liska, Michigan  
James A. Harris, Connecticut  
Tom A. Graves, Alabama  
Gregg L. Wallace, Indiana  
Jackie Speier, California  
Mike Chabery, Illinois  
Eric Swalwell, California  
Joseph R. Courtney, Texas  
Drew Rice, Washington

Paul D. Ryan, Chairman of the House  
Henry Hyde, Republican Leader

**U.S. HOUSE OF REPRESENTATIVES**  
PERMANENT SELECT COMMITTEE  
ON INTELLIGENCE

HYC-304, THE CAPitol  
WASHINGTON, DC 20515  
(202) 225-4121  
DANIEL F. BAKER  
Staff Director  
TERRY S. BROWN  
Administrative Director

September 5, 2017

The Honorable Christopher Wray  
Director  
Federal Bureau of Investigation  
935 Pennsylvania Ave, N.W.  
Washington, D.C. 20530

Dear Director Wray:

As explained in my letter of [September 1, 2017], if the Federal Bureau of Investigation fails to comply in full with the subpoena for production of documents issued by the House Permanent Select Committee on Intelligence (Committee) on August 24, 2017, the Committee requires that Director Christopher Wray appear before the Committee on September 14, 2017 to explain that failure. The accompanying subpoena, issued today, is intended to ensure compliance with that requirement. Should the Federal Bureau of Investigation comply in full and in a timely manner with the Committee's subpoena of August 24, 2017, then the Director's appearance will not be necessary, and the appearance subpoena dated September 5, 2017, will be withdrawn.

Sincerely,  
  
Devin Nunes  
Chairman

Democrat, California, Democrat

R. Michael Coleman, Texas  
Peter T. King, New York  
Frank R. Lautenberg, New Jersey  
Tommy J. Blunt, Florida  
Marco Rubio, Florida  
Kirsten Gillibrand, New York  
Brendan J. Lehren, Ohio  
Cory Gardner, Utah  
Liz Cheney, Wyoming  
Tim Kaine, Virginia  
Chuck Schumer, New York  
Bill Harkin, Texas

2019-5-30/11 California  
RANK: 45/11/11

Armen A. Mitra, Connecticut  
Liz Cheney, Wyoming  
Mark E. Taper, California  
Dianne Feinstein, California  
Dianne Feinstein, California  
Dianne Feinstein, California  
Dianne Feinstein, California  
Dianne Feinstein, California  
Dianne Feinstein, California

Paul D. Ryan, Speaker of the House  
House Republican Leader

U.S. HOUSE OF REPRESENTATIVES  
PERMANENT SELECT COMMITTEE  
ON INTELLIGENCE

HVC-304, THE CAPITOL  
WASHINGTON, DC 20515  
(202) 225-4121

DAVID MILTON  
EXECUTIVE DIRECTOR  
TAMARA S. TRULLINGER  
MANAGING DIRECTOR

September 15, 2017

The Honorable Jeff Sessions  
Attorney General  
United States Department of Justice  
950 Pennsylvania Ave, N.W.  
Washington, D.C. 20530

The Honorable Christopher Wray  
Director  
Federal Bureau of Investigation  
935 Pennsylvania Ave, N.W.  
Washington, D.C. 20530

Dear Attorney General Sessions and Director Wray:

On September 14, 2017, representatives from the Department of Justice ("DOJ") and Federal Bureau of Investigation ("FBI") informed the Committee that they were not prepared to produce any documents responsive to the subpoena issued on August 24—despite a 13-day extension of the original September 1 deadline that was granted at DOJ's request. I was particularly concerned to learn that, in the past three weeks, efforts to assemble such documents had not advanced beyond a preliminary stage.

As noted in my letter of September 1, the Committee continues to seek any documents regarding the extent of your agencies' relationship with former British Secret Intelligence Service officer Christopher Steele and/or the so-called "Trump Dossier" relevant to the Committee's ongoing investigation of Russian interference in the 2016 U.S. presidential election—including allegations of collusion between the Trump campaign and the Russians. The Committee has also sought any Foreign Intelligence Court Surveillance Act (FISA) applications submitted to the Foreign Intelligence Surveillance Court (FISC) — whether or not approved by the FISC — that may have incorporated any information provided by Mr. Steele and/or Fusion QPS. To date, no documents have been provided.

Unfortunately, DOJ's and FBI's last-minute engagement with the Committee regarding subpoena compliance and failure to produce any documents—including those previously made available—fits into a continuing pattern of insufficient responsiveness to written Committee requests dating back over 5 months, including for documents and testimony from Attorney

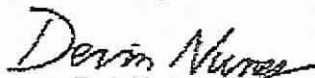


General Sessions, FBI Deputy Director Andrew McCabe, and former Acting Assistant Attorney General Mary McCord.

The Committee remains committed to exercising its constitutional oversight responsibilities, and will continue seeking your cooperation with these efforts. DOJ and FBI are therefore granted an extraordinary extension of an additional seven (7) days for production that satisfies the August 24 subpoena, to occur no later than 9:00 a.m. on September 22, 2017. In the alternative, and pursuant to the testimonial subpoenas issued on September 5, the Attorney General and the Director of the FBI shall appear for an open hearing at 9:00 am on September 28, 2017, in Room HVC-210 of the U.S. Capitol, to testify under oath.

In the event of continued noncompliance, the Committee reserves its right to proceed with any and all available legal options—including reporting to the full House of Representatives a resolution to hold the Attorney General and Director of the FBI in contempt of Congress, pursuant to 2 U.S.C. §§ 192, 194.

Sincerely,



Devin Nunes  
Chairman



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

September 22, 2017

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

Dear Chairman Nunes:

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

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


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

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

I hope that longstanding tradition will continue on our watch.

Thank you for your continuing courtesies.

Sincerely,

  
Rod J. Rosenstein  
Deputy Attorney General



David Morse, California Governor

U. S. HOUSE OF REPRESENTATIVES  
1. Richard E. Cheney, Texas  
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Paul D. Ryan, Speaker of the House  
Nancy Pelosi, Democratic Leader

U.S. HOUSE OF REPRESENTATIVES  
PERMANENT SELECT COMMITTEE  
ON INTELLIGENCE

HVC-304, THE CAPITOL  
WASHINGTON, DC 20515  
(202) 225-6181

Chairman  
Drew Hanford

Thomas G. Blackburn  
Member of Staff

September 26, 2017

The Honorable Rod Rosenstein  
Deputy Attorney General  
United States Department of Justice  
950 Pennsylvania Ave, NW  
Washington, D.C. 20530-3001

Dear Deputy Attorney General Rosenstein:

Thank you for your letter of September 22, 2017. As you are well aware, the House Permanent Select Committee on Intelligence (the Committee) is uniquely equipped to safeguard intelligence sources and methods. Other executive branch agencies have provided the Committee with the documents necessary to conduct its ongoing investigation into the 2016 presidential election, including highly-classified information of extraordinary sensitivity. The Committee has gone to great lengths to avoid interfering with any ongoing executive branch investigations, and we stand ready to work with you in this regard. I also take this opportunity to underscore that our requests for information are likely to be fewer in number and smaller in scope than the typical questions judges and attorneys would ask in criminal probes.

Furthermore, just as the Department of Justice (DOJ) and Federal Bureau of Investigation (FBI) have constitutional obligations, so too does Congress, which is responsible for overseeing both DOJ and FBI. While the Committee has been very patient over these last six months, that patience is not without limit. To date, meaningful compliance with the Committee's numerous requests has been minimal, and the Committee has not received any documents pursuant to subpoenas issued a month ago for which the deadline has been twice extended. The fact that certain information may be embarrassing or cast DOJ or FBI in a light you prefer to avoid is not sufficient grounds to deny the Committee access to materials relevant to its oversight responsibilities. Nor are there any lawful justifications for such a denial to Congress. This absence of responsiveness from the world's premier law enforcement agency is unacceptable.

For example, on March 17, the Committee was afforded two billets to review documents responsive to a request for Foreign Intelligence Surveillance Act (FISA) applications and Foreign Intelligence Surveillance Court (FISC) orders. The documents were provided on a read-and-return basis, and the Committee's request to review them again was denied. I am particularly frustrated by DOJ's lack of cooperation in providing documents to which the

Committee has already been given access, and additionally have reason to believe that responsive documents were improperly withheld from the March 17 production.

With respect to the pending subpoenas, the repeated last-minute responses by DOJ and FBI to generous deadlines have been wholly inadequate. Given the Congress's obligations to the American people, Congress needs answers. Therefore, I look forward to discussing these matters in person with you on Thursday.

Sincerely,



Devin Nunes  
Chairman

Copies to: The Honorable Jeff Sessions, Attorney General  
The Honorable Christopher Wray, Director, Federal Bureau of Investigation



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Mark E. King, Republican  
Mark A. Luttrell, Member  
Thomas J. Rooney, Member  
Lynn Rosenblum, Member  
Michael R. Turner, Chair  
Dwight Whitaker, Staff  
Trey Gowdy, Staff Director  
Troy A. Black, New York  
Deputy Clerk

Alvin J. Smith, Director  
Staff Director

John J. Egan, Counselor  
Tara J. Sowell, Assistant  
Clerk  
John J. Smith, Clerk  
Kelli G. H. Hester  
Dorothy W. Edwards  
Jazzyn Kelly, From  
Ernie Mack, Washington

Post Office Box 24, near the House  
Near Post Office Building

U.S. HOUSE OF REPRESENTATIVES  
PERMANENT SELECT COMMITTEE  
ON INTELLIGENCE

H/O-304, The Capitol  
WASHINGTON, DC 20515  
(202) 225-4121  
Director  
Staff Director  
\*Mr. S. GOWDY  
Member Staff Director

November 2, 2017

Deputy Director Rod Rosenstein  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Deputy Director Rod Rosenstein,

I hereby designate Congressman Trey Gowdy as my proxy for an in camera review of documents made available per the subpoenas issued to Attorney General Sessions and FBI Director Wray dated August 24, 2017. This designation is without prejudice to, and shall not limit or waive the authority of all Members of the House Permanent Select Committee on Intelligence from reviewing the documents at a later date upon request.

It is my request that this review occur by close of business on November 2, 2017.

Best Regards,

*Devin Nunes*  
Devin Nunes  
Chairman

U.S. HOUSE OF REPRESENTATIVES  
PERMANENT SELECT COMMITTEE  
ON INTELLIGENCE

HVC-304, THE CAPITOL  
WASHINGTON, DC 20515  
(202) 225-4121

December 28, 2017

The Honorable Rod Rosenstein  
Deputy Attorney General  
U.S. Department of Justice  
1201 Pennsylvania Ave, NW  
Washington, D.C. 20004

Dear Mr. Rosenstein:

The House Permanent Select Committee on Intelligence (the Committee) writes in response to the Department of Justice's (DOJ) and the Federal Bureau of Investigation's (FBI) failure to fully produce responsive documents and provide the requested witnesses in compliance with the subpoenas issued over *four months ago*, on August 24, 2017.

Several weeks ago, DOJ informed the Committee that the basic investigatory documents demanded by the subpoenas, FBI Form FD-302 interview summaries, did not exist. However, shortly before my meeting with you in early December, DOJ subsequently located and produced numerous FD-302s pertaining to the Steele dossier, thereby rendering the initial response disingenuous at best. As it turns out, not only did documents exist that were directly responsive to the Committee's subpoenas, but they involved senior DOJ and FBI officials who were swifly reassigned when their roles in matters under the Committee's investigation were brought to light. Given the content and impact of these supposedly newly-discovered FD-302s, the Committee is no longer able to accept your purported basis for DOJ's blanket refusal to provide responsive FBI Form FD-1023s—documenting meetings between FBI officials and FBI confidential human sources—or anything less than full and complete compliance with its subpoenas.

As a result of the numerous delays and discrepancies that have hampered the process of subpoena compliance, the Committee no longer credits the representations made by DOJ and/or the FBI regarding these matters. Accordingly, DOJ and the FBI are instructed to promptly produce to the Committee—no later than January 3, 2018—ALL outstanding records identified as responsive to the August 24 subpoenas, including but not limited to:



- All responsive FD-1023s, including all reports that summarize meetings between FBI confidential human sources and FBI officials pertaining to the Steele dossier;
- All responsive FD-302s not previously provided to the Committee; and
- In addition to the FD-302s and FD-1023s, certain responsive analytical and reference documents that were specifically identified and requested by the Committee, and supposedly subject to imminent production, as of December 15.

Should DOJ decide to withhold any responsive records, or portions thereof, from the Committee, it must, consistent with the subpoena instructions, provide a written response, under your signature, detailing the legal justification for failing to comply with valid congressional subpoenas.

Additionally, by the same deadline, please provide—in writing—available dates in January 2018 for interviews with the following officials:

- Former DOJ Associate Deputy Attorney General Bruce Ohr;
- FBI Supervisory Special Agent Peter (SSA) Strzok;
- FBI Attorney James Baker;
- FBI Attorney Lisa Page;
- FBI Attorney Sally Moyer; and
- FBI Assistant Director for Congressional Affairs Greg Brower.

The Committee further reminds you of these other outstanding requests for information:

- Details concerning an apparent April 2017 meeting with the media involving DOJ/FBI personnel, including DOJ Attorney Andrew Weissman (due December 13) and
- The remaining text messages between SSA Strzok and Ms. Page (due December 15).

Unfortunately, DOJ/FBI's intransigence with respect to the August 24 subpoenas is part of a broader pattern of behavior that can no longer be tolerated. As I said in a public statement several weeks ago, when the reason for SSA Strzok's removal from the Special Counsel investigation was leaked to the *Washington Post* before that reason was provided to this Committee, at this point it seems the DOJ and FBI need to be investigating themselves.

I look forward to your timely written response.

Sincerely,

  
Devin Nunes  
Chairman

U.S. HOUSE OF REPRESENTATIVES  
PERMANENT SELECT COMMITTEE  
ON INTELLIGENCE

HVC-304, THE CAPITOL  
WASHINGTON, DC 20515  
(202) 225-4121

January 4, 2018

The Honorable Rod Rosenstein  
Deputy Attorney General  
U.S. Department of Justice  
1201 Pennsylvania Ave, NW  
Washington, D.C. 20004

Dear Mr. Rosenstein:

Pursuant to our phone call yesterday evening, I write to memorialize the agreement we reached regarding compliance with the subpoenas issued by the House Permanent Select Committee on Intelligence (the Committee) on August 24, 2017, to the Department of Justice (DOJ) and Federal Bureau of Investigation (FBI), as well as several other outstanding requests by the Committee for information and interviews. It is my hope that this agreement will provide the Committee with all outstanding documents and witnesses necessary to complete its investigations into matters involving DOJ and FBI.

As agreed, designated Committee investigators and staff will be provided access to all remaining investigative documents, in unredacted form, for review at DOJ on Friday, January 5, 2018. The documents to be reviewed will include all FBI Form FD-1023s and all remaining FBI Form FD-302s responsive to the Committee's August 24, 2017 subpoenas. The only agreed-upon exception pertains to a single FD-302, which, due to national security interests, will be shown separately by Director Wray to myself and my senior investigators during the week of January 8, 2018.

You further confirmed that there are no other extant investigative documents that relate to the Committee's investigations into (a) Russian involvement in the 2016 Presidential election or (b) DOJ/FBI's related actions during this time period. This includes FD-302s, FD-1023s, and any other investigatory documents germane to the Committee's investigations, regardless of form and/or title. If, somehow, "new" or "other" responsive documents are discovered, as discussed, you will notify me immediately and allow my senior investigators to review them shortly thereafter.

With respect to the witness interviews requested by the Committee, you have agreed that all such witnesses - namely, former DOJ Associate Deputy Attorney General Bruce Ohr; FBI Supervisory Special Agent Peter Strzok; former FBI General Counsel James Baker; FBI Attorney Lisa Page; FBI Attorney Sally Mayer; FBI Assistant Director Greg Brower; FBI Assistant Director Bill Priestap; and FBI Special Agent James Rybicki - will be made available for interviews to be conducted in January.



Lastly, as to the remaining approximately 9,500 text messages between FBI Supervisory Special Agent Peter Surzak and his mistress, FBI Attorney Lisa Paga, it is my understanding based on your representations that another search is being conducted and all relevant messages will be provided. Accordingly, the Committee requests production of these messages by no later than close of business, Thursday, January 11, 2018. Similarly, I understand that your office is researching records related to the details of an April 2017 meeting between DOJ Attorney Andrew Weissman (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.

It was further agreed that all documents made available to the Committee will also be available for review by the minority Ranking Member and designated staff.

The materials we are requesting are vital to the Committee's investigation of potential abuses into intelligence and law enforcement agencies' handling of the Christopher Steele dossier. The Committee is extremely concerned by indications that top U.S. Government officials who were investigating a presidential campaign relied on unverified information that was funded by the opposing political campaign and was based on Russian sources. Going forward, it's crucial that we memorialize our conversations on this issue, and that we're as transparent as possible with the American people, who deserve answers to the questions the Committee is investigating.

The subpoenas issued August 24, 2017, remain in effect.

Sincerely,



Devin Nunes  
Chairman

Copies to:

The Honorable Jeff Sessions, Attorney General  
The Honorable Christopher Wray, Director, Federal Bureau of Investigation

Dean Acheson, California & Delaware

C. Michel Courant, Texas  
Paul L. Cunningham, New York  
Frank A. Lautenberg, New Jersey  
Dorise J. Rostenkowski, Illinois  
Hiram Walker, Michigan  
Richard M. Durbin, Indiana  
Richard J. Durbin, Illinois  
Dan Claitor, Kansas  
Mike Crapo, Idaho  
Tim Wirth, Colorado  
Tim Kaine, Oregon  
Tim Wainwright, North Carolina  
Tim Kaine, Oregon  
Tim Wainwright, North Carolina  
Tim Wainwright, North Carolina

Allen B. Smith, California  
Steven M. Cohen, Michigan

James A. Latta, Ohio  
Tom L. Gearty, Pennsylvania  
Arlen Specter, Pennsylvania  
Jackie Speier, California  
Mike Chaberski, Wisconsin  
Eric Swalley, Ohio  
Joseph P. Cardoza, Texas  
Drew Ferguson, Washington

Paul D. Ryan, Speaker of the House  
Steve Daines, Montana

U.S. HOUSE OF REPRESENTATIVES  
PERMANENT SELECT COMMITTEE  
ON INTELLIGENCE

HVC-304, THE CAPITOL  
WASHINGTON, DC 20515  
(202) 225-4121

Danah Moore  
Staff Director  
Francis S. Bagnoli  
Executive Staff Director

November 8, 2017

VIA U.S. MAIL

The Honorable James B. Comey



Dear Mr. Comey:

Thank you for your testimony before the House Permanent Select Committee on Intelligence on March 20, 2017 and May 4, 2017 in the Committee's bipartisan investigation into Russian active measures directed at the 2016 U.S. election. In light of additional facts learned during the investigation, the Committee requests that you participate in a voluntary, transcribed interview at the Committee's offices.

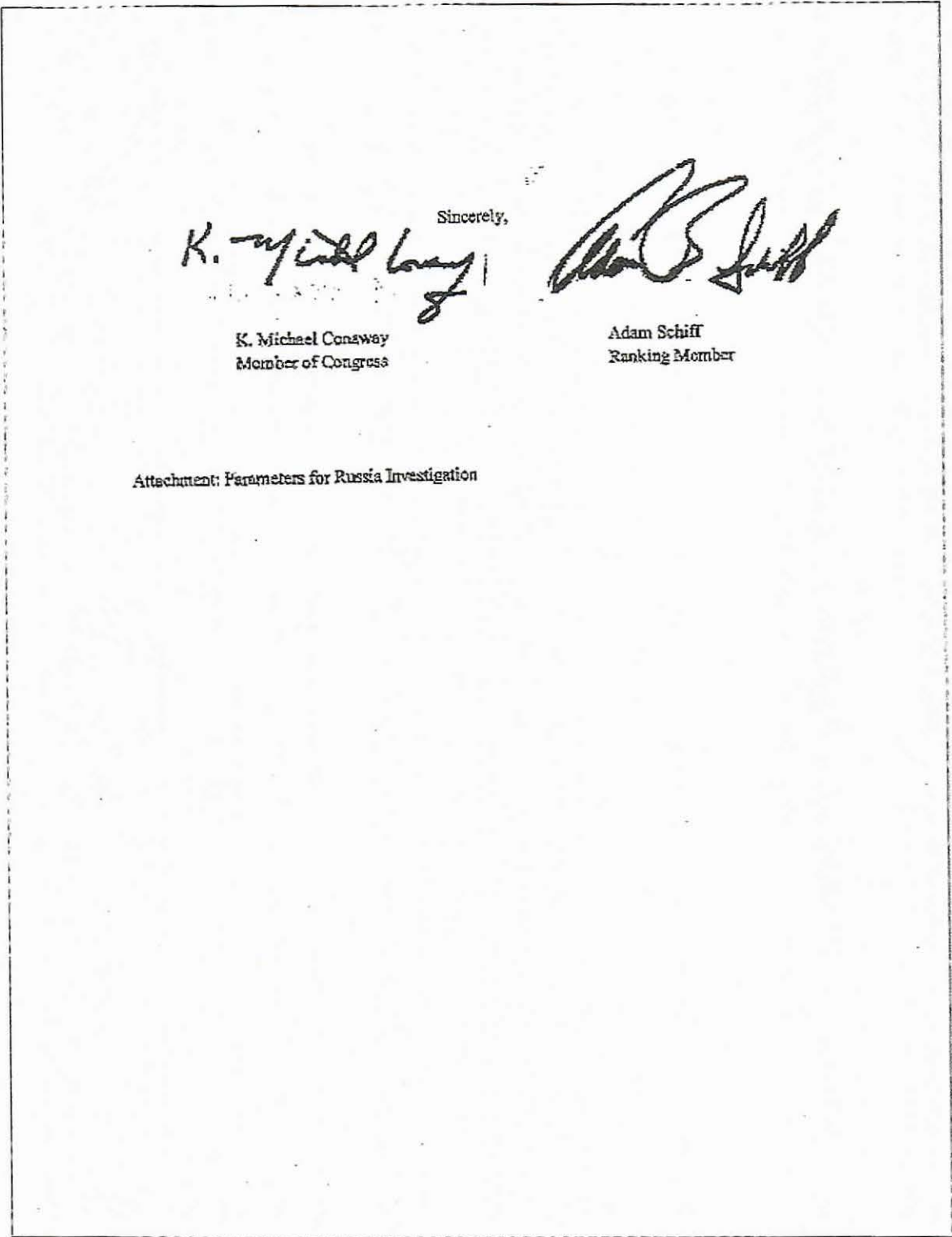
Committee staff will work with you to arrange your interview for either the week of December 4 or December 11. The interview may cover any topic within the publicly-announced parameters of the Committee's investigation (see attached), including Russian cyber activities directed against the 2016 U.S. election, potential risks between Russia and individuals associated with political campaigns, the U.S. government's response to these Russian active measures, and related leaks of classified information.

We respectfully ask that you produce to the Committee, by no later than the close of business on November 24, your availability for the interview during the time identified above.

This letter also requests preservation and production of all documents, records, electronically stored information, recordings, data and tangible things (including, but not limited to, graphs, charts, photographs, images and other documents) regardless of form, other than those widely available (e.g., newspaper articles), related to the Committee's investigation, your interview, and any ancillary matters.

Should you have any questions at any time, please contact Committee staff at (202) 225-4121. If you are represented by an attorney, please forward this letter to your attorney, and have him or her contact the Committee on your behalf.





*K. Michael Conway*

Sincerely,

*Adam Schiff*

K. Michael Conway  
Member of Congress

Adam Schiff  
Ranking Member

Attachment: Parameters for Russia Investigation



February 1, 2018

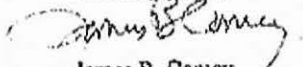
United States House of Representatives  
Permanent Select Committee on Intelligence  
ATTN: Nick Ciarlante  
HVC-304, U.S. Capitol  
Washington, D.C. 20515

Dear Mr. Ciarlante:

I received your January 24, 2018 letter, forwarding a November 8, 2017 letter that was sent to an old mailing address of mine.

I respectfully decline the invitation to a voluntary interview. I am confident you can obtain the best information from current FBI employees. Please give my best to Messrs. Conaway and Schiff. I have fond recollections of our past interactions.

Sincerely yours,



James B. Conroy



DICK WATERS, Cal State, Co-Chair  
 C. BOB BYRNE, Texas  
 JOHN T. COOPER, New York  
 PETER A. COOPER, New Jersey  
 THOMAS J. FERRY, Florida  
 SHARON BLOOM, Florida  
 JAMES R. CLAYTON, Ohio  
 GARY A. WOODS, Ohio  
 CHRIS STEVENSON, Utah  
 ROBERT C. BYRD, West Virginia  
 TONY GONZALEZ, South Carolina  
 ERIC L. SCHWARTZ, Missouri  
 WILLARD WYNTON, Texas  
 ALLEN B. SPECTER, California  
 RICHARD BLUMENTHAL, Connecticut  
 JAMES A. HONAN, Connecticut  
 TERRY A. LEE, Florida  
 ANNE MURPHY, Virginia  
 JUDITH S. SHAW, Missouri  
 NICK QUINN, Georgia  
 RICHARD BLUMENTHAL, California  
 JOSEPH R. BIDEN, Delaware  
 CHRIS CLAYTON, Texas  
 CHRIS STEVENSON, Utah

**U.S. HOUSE OF REPRESENTATIVES**  
**PERMANENT SELECT COMMITTEE**  
**ON INTELLIGENCE**

HVC-304, THE CAPITOL  
 WASHINGTON, DC 20515  
 (202) 225-4121  
 CHIEF CLERK  
 SUZANNE D. GIBSON  
 VICE CHIEF CLERK  
 MARGARET M. HANCOCK

PAUL D. RYAN, SPEAKER OF THE HOUSE  
 HONORABLE CLERK

December 6, 2017

The Honorable Rod Rosenstein  
 Deputy Attorney General  
 United States Department of Justice  
 1201 Pennsylvania Ave, NW  
 Washington, D.C. 20004

Dear Mr. Rosenstein:

I am writing you as a follow-up to our recent conversation about the persistent problem of unauthorized leaks of information to the media from executive branch agencies.

In February 2017, I wrote a letter to then-Federal Bureau of Investigation (FBI) Director James Comey expressing my concern regarding the "epidemic of unauthorized disclosures to the press", many of which purported to contain classified information, particularly the alleged leak of Lt. Gen. Michael Flynn's name regarding a conversation that he reportedly had with former Russian Ambassador Sergei Kislyak. In May 2017, I wrote another letter to the Intelligence Community Inspector General and you expressing a grave concern about a pending article based on an improper leak. Unfortunately, it is still not clear to the House Permanent Select Committee on Intelligence (HPSCI) whether the Department of Justice (DOJ) is investigating these matters.

In the past several months, numerous additional leaks, some comprising purportedly classified information, have appeared in the press in connection to the ongoing investigation of Russian interaction with the Trump campaign.

I am particularly concerned about the potential role of DOJ personnel in facilitating such leaks. HPSCI has learned that on or about April 11, 2017, at the behest of a current attorney assigned to Special Counsel Robert Mueller III, Andrew Weissmann, then head of DOJ's Criminal Division's Fraud Section, met, along with FBI agents, with a group of reporters from a major media organization to discuss the ongoing Russia investigation. In light of this information, I request that you provide HPSCI with answers to the following questions:

- Did this meeting between DOJ and/or FBI officials and reporters occur?
- If this meeting occurred:

- Why was it not briefed to IPSCI or other relevant oversight committees?
- Who from the DOJ and/or FBI approved this meeting?
- Which reporters and representatives from DOJ and/or FBI attended the meeting?
- Did the arranging and conduct of the meeting follow all relevant DOJ and/or FBI protocols?
- At the meeting, did any DOJ and/or FBI officials provide any information to the reporters about the FBI investigation or confirm any information provided by the reporters?
- Did anyone from DOJ and/or FBI file a complaint about this meeting?
- Did any DOJ and/or FBI representatives take notes during the meeting?
- Is this meeting the subject of a IG investigation?

Please provide answers to the Committee no later than 5:00 p.m. on December 13, 2017.

Sincerely,  
  
Devin Nunes  
Chairman

Copy to: The Honorable Michael E. Horowitz, Inspector General, U.S. Department of Justice





U.S. Department of Justice  
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

MAR 14 2018

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

Dear Chairman Nunes:

This responds to your letter to the Deputy Attorney General dated December 6, 2017. Your letter expresses concern about unauthorized disclosures of classified information to the media from executive branch agencies, and notes your particular concern about the potential role of Department of Justice (Department) personnel in facilitating such disclosures. Department policy does not permit confirmation of the existence of ongoing investigations, including investigations of unauthorized disclosures of classified information. However, the Department shares your concerns about unauthorized disclosures of classified information, investigates such disclosures, and prosecutes offenders when appropriate. It certainly would be helpful to any investigation that the Department may be conducting for you to share any information you have about the identity of any individuals in any branch of government who have disclosed classified information to the media or to anyone without a need to know the information. The Department will work with you to receive any such information confidentially at your convenience.

You have also asked whether a meeting occurred among Department personnel and reporters on April 11, 2017 to "discuss the ongoing Russia investigation." The Department is aware of no such meeting at which this was the topic of discussion. On that date, Department officials did meet with reporters from the Associated Press (AP) at the reporters' request. The Department officials included Andrew Weissmann, Chief of the Fraud Section of the Criminal Division; three FBI agents; a Department trial attorney; and an Assistant U.S. Attorney from the Eastern District of Virginia. Four AP reporters attended. An AP reporter contacted Mr. Weissmann to arrange the meeting, and Mr. Weissmann did so.

During the meeting, the AP reporters provided information to the Department that they had learned as a result of their investigation of Paul Manafort. They described activities unrelated to any role Mr. Manafort may have had with the campaign of President Donald J. Trump and focused primarily on his business practices, financial activities, and relationships with foreign individuals or entities. The AP reporters asked questions of the Department officials, who declined to comment on the questions. The Department understands that notes were taken during the meeting. Based on the Department's current understanding, it does not appear that Department officials improperly disclosed any confidential information.

The Honorable Devin Nunes  
Page Two

The Department has referred to the Inspector General your questions as to whether anyone filed a complaint about the meeting and whether the meeting is the subject of an Inspector General investigation.

Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,



Stephen E. Boyd  
Assistant Attorney General

cc: The Honorable Adam B. Schiff  
Ranking Member







U.S. Department of Justice  
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

DEC 12 2017

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

Dear Chairman Nunes,

This responds to the Committee's request that the Department of Justice (Department) provide the Committee with copies of text message communications between Federal Bureau of Investigation (FBI) employees Peter Strzok and Liza Page. We are sending letters and identical enclosures to a number of Congressional Committees that have made similar requests.

As you may know, on January 12, 2016, the Department of Justice's Office of Inspector General (OIG) publicly announced that the OIG would review "allegations that Department or FBI policies or procedures were not followed in connection with, or in actions leading up to or related to, the FBI Director's public announcement on July 5, 2016,<sup>1</sup> and the Director's letters to Congress on October 28 and November 6, 2016, and that certain underlying investigative decisions were based on improper considerations.<sup>2</sup>" As part of that review, the OIG obtained, among other things, text messages between Mr. Strzok and Ms. Page.

The Department expected the documents provided herein to be provided as part of a completed OIG report. However, public reporting about the existence of the text messages prompted Congressional Committee requests for the text messages. Please find enclosed an initial disclosure of approximately 375 text message communications, dated August 16, 2015 to December 1, 2016, that have been identified as pertinent to the OIG review referenced above. The enclosed documents contain minimal redactions that protect the privacy interests of third parties and sensitive law enforcement information, and remove irrelevant information. The Department continues to review documents and will provide pertinent documents as they become available.

<sup>1</sup> On that date, then-FBI Director James B. Comey announced that the FBI was recommending to the Department of Justice that no charges should be filed relating to former Secretary of State Hillary Clinton's use of a private email server.

<sup>2</sup> DOJ OIG Announces Initiation of Review, January 12, 2017, available at <https://oig.justice.gov/press/2017/2017-01-12.pdf>



The Honorable Devin Nunes  
Page Two

As has been publicly reported, Mr. Strzok previously served on the investigative team led by Special Counsel Robert Mueller. The OIG informed the Special Counsel of the existence of the enclosed text messages on or about July 27, 2017. Mr. Mueller immediately concluded that Mr. Strzok could no longer participate in the investigation, and he was removed from the team.

This extraordinary accommodation of providing the enclosed documents is unique to the facts and circumstances of this particular matter. The Department appreciates the work of the OIG on this matter, looks forward to the findings and recommendations arising from that review, and will take appropriate action as warranted.

Sincerely,



Stephen E. Boyd  
Assistant Attorney General

cc: The Honorable Adam Schiff  
Ranking Member

Enclosures

Rec: 22 JAN 18



U.S. Department of Justice  
Office of Legislative Affairs

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

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

JAN 19 2018

Dear Chairman Nunes:

This responds to your request to the Department of Justice (Department) to provide the Committee with copies of text message communications between Federal Bureau of Investigation (FBI) employees Peter Strzok and Lisa Page.

As you may know, on January 12, 2016, the Department's Office of Inspector General (OIG) publicly announced that the OIG would review "allegations that Department or FBI policies or procedures were not followed in connection with, or in actions leading up to or related to, the FBI Director's public announcement on July 5, 2016,<sup>1</sup> and the Director's letters to Congress on October 28 and November 6, 2016, and that certain underlying investigative decisions were based on improper considerations."<sup>2</sup> As part of that review, the OIG obtained, among other things, text messages between Mr. Strzok and Ms. Page.

In December 2017, we provided you with an initial production of approximately 375 text message communications, dated August 16, 2015 to December 1, 2016. In response to the requests for the texts messages, the Department collected all text messages between Mr. Strzok and Ms. Page available from the FBI for the period July 1, 2015 to July 28, 2017,<sup>3</sup> which was the same period requested by the OIG. The Department began reviewing those documents in an effort to provide you those messages that were either work-related or that provided any insight into the political views of the participants.

<sup>1</sup> On that date, then-FBI Director James B. Comey announced that the FBI was recommending to the Department of Justice that no charges should be filed relating to former Secretary of State Hillary Clinton's use of a private email server.

<sup>2</sup> DOJ OIG Announces Initiation of Review, January 12, 2017, available at <http://oig.justice.gov/press/2017/01-12.pdf>

<sup>3</sup> Although the request included texts through July 28, 2017, there were no text messages between Mr. Strzok and Ms. Page after July 1, 2017, and the messages after June 25, 2017, were personal in nature.



~~TOP SECRET~~ / UNIFORM

The Honorable Devin Nunes

Page Two

The Department is not providing text messages that were purely personal in nature. Furthermore, the Department has redacted from some work-related text messages portions that were purely personal. The Department's aim in withholding purely personal text messages and redacting personal portions of work-related text messages was primarily to facilitate the Committee's access to potentially relevant text messages without having to cull through large quantities of material unrelated to either the investigation of former Secretary of State Hillary Clinton's use of a personal email server or the investigation into Russian efforts to interfere with the 2016 Presidential election. Also, the withholding of personal information in some instances, avoids unnecessary embarrassment or harassment to third parties that could result from public release of such information. The Department redacted the names of employees who are not SES-level employees, and in some instances, redacted SES employees' names to avoid unwarranted attention to those individuals when comments were gratuitous and did not provide relevant information to ongoing Congressional inquiries.

In a few instances, the Department has redacted portions of work-related texts that concern other investigations. Finally, the Department consulted with the Special Counsel's Office (SCO) and made some redactions related to the structure, operation, and substance of the SCO investigation because it is ongoing.

To avoid any concern that the Department has withheld relevant information, if a Committee has specific questions about why a particular text was partially redacted or about the nature of personal text messages withheld, the Department will work with that Committee to either further describe or disclose redacted information in a closed setting. Although the original spreadsheet contained only what the Department believed to be work-related text messages, subsequent reviews identified some additional personal text messages within that document. Therefore, the document produced today contains a small number of fully redacted messages that were determined to be personal messages subsequent to their initial inclusion in the previously provided spreadsheet. The enclosed document also excludes columns of information that contained only technical information such as phone numbers or email addresses in an effort to provide a more readily reviewable set of documents. In the attached, the "Inbox" documents are from Mr. Strzok to Ms. Page, and the "Outbox" documents are from Ms. Page to Mr. Strzok.

The Department wants to bring to your attention that the FBI's technical system for retaining text messages sent and received on FBI mobile devices failed to preserve text messages for Mr. Strzok and Ms. Page from December 14, 2016 to approximately May 17, 2017. The FBI has informed us that many FBI-provided Samsung 5 mobile devices did not capture or store text messages due to misconfiguration issues related to rollouts, provisioning, and software upgrades that conflicted with the FBI's collection capabilities. The result was that data that should have been automatically collected and retained for long-term storage and retrieval was not collected. This problem should have been corrected with the rollout of the Samsung 7s in 2017.

The Honorable Devin Nunes  
Page Three

Mr. Strzok's Samsung 5 phone last connected to the storage system on June 18, 2016. He received his new Samsung 7 phone on or about July 5, 2017. Ms. Page's Samsung 5 phone last connected to the storage system on December 13, 2016. She received her new Samsung 7 phone on or about May 22, 2017.<sup>4</sup>

The Office of Inspector General pieced together the text messages between Mr. Strzok and Ms. Page from June 18, 2016, to December 13, 2016, using the data from Ms. Page's phone until the connection to the storage system stopped on December 13, 2016. On May 17, 2017, Ms. Page's data collection re-initiated when she received her new phone.

Please let this office know if you have any questions regarding this production.

Very truly yours,



Stephen E. Boyd  
Assistant Attorney General

cc: The Honorable Adam Schiff  
Ranking Member

<sup>4</sup> Although FBI identified May 22, 2017 as the issued date for Ms. Page's phone, collection resumed on May 13, 2017. The FBI has not yet been able to account for this discrepancy.



Down Arrow, California, California

2. Richard Gonzalez, Texas  
Rosa L. Klei, New York  
Robert A. Latta, New Jersey  
Thomas J. Rooney, Florida  
James Roy Levinson, Florida  
Michael D. Turner, Ohio  
Kurt E. Wicks, Ohio  
Chris Whelan, Ohio  
Rick Warren, Alabama  
Tommy Green, Texas  
Randy L. Starvo, New York  
Wesley C. Young, Texas

Adrian D. Smith, California  
Randy H. Hines

James A. Brown, Connecticut  
Tom A. Sewell, Alabama  
Paul H. Cook, Indiana  
John G. McCarroll, California  
Mike Coffey, Texas  
Eric Swalley, California  
James L. Davis, Texas  
Dwight H. Gooden, Texas

Paul C. Ryan, Speaker of the House  
Kathy Peabody, Chief of Staff

U.S. HOUSE OF REPRESENTATIVES  
PERMANENT SELECT COMMITTEE  
ON INTELLIGENCE

HVC-304, THE CAPITOL  
WASHINGTON, DC 20515  
(202) 225-4421

Director of House  
Staff Liaison  
Thomas S. Brinkley  
Assistant Staff Director

January 25, 2018

VIA ELECTRONIC MAIL

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

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

Dear Messrs. Rosenstein and Wray:

For months, the House Permanent Select Committee on Intelligence has been concerned about the Department's and the Federal Bureau of Investigation's actions in a number of cases. Last weekend's revelations that the Department and the FBI failed to preserve – and today's media reporting that the Department's Inspector General has forensically recovered – approximately five months of text message exchanges between Special Agent Peter Strzok and FBI attorney Lisa Page have only amplified those concerns.

To ensure that any Committee inquiry is as thorough and complete as possible, we respectfully request that the Department and the FBI ensure documents and information related to the following issues are preserved for potential production to the Committee:

- Any communications devices issued to Agent Strzok and Ms. Page;
- Any efforts to retrieve information from Agent Strzok's and Ms. Page's government-issued devices;
- Any data on the Samsung 5 phone issued to Agent Strzok until on or about July 5, 2017;
- Any data on the Samsung 5 phone issued to Ms. Page until on or about May 17, 2017;

- Any information about the alleged "misconfiguration issues related to rollouts, provisioning, and software upgrades that conflicted with the FBI's collection capabilities" that caused "many FBI-provided Samsung S mobile devices" not to "capture or store text messages"; and
- Any investigation by the Department or the FBI into the circumstances related to the failure to preserve the text messages.

The Department and FBI should interpret "preservation" in the broadest possible manner, including ensuring the discontinuation of any auto-delete or similar functions that erase materials after a certain period of time. This preservation request covers all documents, records, electronically stored information, recordings, data, and tangible things (including, but not limited to, graphs, charts, photographs, images and other documents), regardless of form and medium of storage, from January 1, 2016 - present.

The Committee also requests that you:

1. Exercise reasonable efforts to identify and notify former employees and contractors, subcontractors and consultants who may have access to such electronic records that they are to be preserved;
2. Exercise reasonable efforts to identify, recover, and preserve any electronic records which have been deleted or marked for deletion but are still recoverable; and
3. If it is the routine practice of any agency employee or contractor to destroy or otherwise alter such electronic records, either halt such practices or arrange for the preservation of complete and accurate duplicates or copies of such records, suitable for production, if requested.

We would appreciate your confirming that all relevant documents and information are being preserved no later than the close of business on **January 29, 2018**.

Should you have any questions at any time, please contact Kash Patel at (202) 225-4121.

Sincerely,  
  
 Devin Nunes  
 Chairman

cc: Michael Horowitz, Inspector General, U.S. Department of Justice

\* Letter from Stephen E. Boyd, Assistant Atty Gen., Office of Legislative to Rep. Devin Nunes, Chairman, U.S. House Permanent Select Committee on Intelligence, Jan. 19, 2018.





U.S. Department of Justice  
Federal Bureau of Investigation

Washington, D.C. 20535-0001

February 2, 2015

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

Dear Mr. Chairman:

I write in response to your letter dated January 25, 2015, regarding FBI retention and preservation obligations. Your request has been forwarded to the FBI's Office of the General Counsel for appropriate action. Please note, however, that preservation requests related to the FBI-issued mobile devices assigned to Ms. Page and Ms. Strzok during the relevant periods should be directed to the DOJ Office of the Inspector General, as those devices are not in the physical custody of the FBI.

Thank you for your continued support of the FBI.

Sincerely,

Gregory A. Brower  
Assistant Director  
Office of Congressional Affairs

1 - The Honorable Adam Schiff  
Ranking Member  
Permanent Select Committee on Intelligence  
U.S. House of Representatives  
Washington, DC 20515

David Reed, Chairman, Committee

A. Michael Crowley, Texas  
Robert F. Wray, New York  
Charles W. Laffont, New Jersey  
Thomas J. Rapley, Florida  
Richard A. Fitzpatrick, Florida  
Michael T. Turner, Ohio  
Burr H. Gooden, Ohio  
Curtis Romo, Utah  
Mark E. Amodeo, Michigan  
Tommy Green, South Carolina  
Lance M. Givens, New York  
Kirk W. Scott, Texas

Arnell S. Smith, California  
Rohrabacher, Michigan

James A. Moran, Pennsylvania  
Ron A. Stewart, Alabama  
Curtis Cannon, Indiana  
Judy Sisk, California  
Mike Chaboy, Florida  
Cory Gardner, Colorado  
Joseph R. Courtney, Texas  
Darryl Hank, Washington

Paul D. Ryan, Speaker of the House  
Henry Hyde, Democratic Leader

U.S. HOUSE OF REPRESENTATIVES  
PERMANENT SELECT COMMITTEE  
ON INTELLIGENCE

HWC-304, THE CAPITOL  
WASHINGTON, DC 20516  
(202) 225-4121

DAVID REED  
CHAIRMAN  
THOMAS E. SHANNON  
Executive Staff Director

February 16, 2018

Stephen E. Boyd  
Assistant Attorney General  
U.S. Department of Justice  
950 Pennsylvania Ave, NW  
Washington, D.C. 20530

Dear Mr. Boyd:

On February 7, 2018, I wrote to the Honorable Rosemary M. Collyer, Presiding Judge of the United States Foreign Intelligence Surveillance Court (FISC), requesting that the Court produce transcripts of any relevant FISC hearings associated with the initial FISA application or subsequent renewals related to the electronic surveillance of Carter Page.

In her response to the Committee Judge Collyer wrote, "...you may note that the Department of Justice possesses (or can easily obtain) the same responsive information the Court might possess, and... is better positioned than the Court to respond quickly."

Therefore, in an effort to inform the Committee's ongoing investigation, the Committee seeks the transcripts of any relevant FISC hearings associated with the initial FISA application or subsequent renewals related to electronic surveillance of Carter Page. The Committee respectfully requests that, no later than February 26, 2018, DOJ inform the Committee whether such transcripts exist, and, if so, please provide them.

If you have any questions, please contact Committee staff at (202) 225-4121.

Sincerely,  
  
David Reed  
Chairman

Enclosure (1)





U.S. Department of Justice  
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

MAR 07 2018

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

Dear Mr. Chairman:

This responds to your letter dated February 16, 2018, requesting transcripts of any relevant hearings of the Foreign Intelligence Surveillance Court (FISC) associated with the initial FISA application or subsequent renewals related to the electronic surveillance of Carter Page. As is typical in the consideration of warrant applications generally, including applications to the FISC, the FISC considered the applications based upon the written submission, and held no hearings. Accordingly, no responsive transcripts exist. For your reference, we have attached a letter dated July 29, 2013 from FISC Presiding Judge Reggie B. Walton to the Senate Committee on the Judiciary then-Chairman Patrick J. Leahy that outlines the FISC practice when considering FISA applications, which includes consideration of circumstances in which a hearing may be required.

We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,

Stephen E. Boyd  
Assistant Attorney General

Enclosure

David Nunes, Oklahoma, Chairman

K. Michael Conaway, Texas  
ROBT T. KING, New York  
Mark E. LUGER, New Jersey  
Thomas J. Rooney, Florida  
Wayne Ross LINDSEY, Florida  
MICHAEL T. PARKER, Ohio  
GREGG H. WATSON, Ohio  
DICK SCARBOROUGH, Utah  
RICK SCARBOROUGH, Arkansas  
THEODORE G. SUAREZ, New Mexico  
JIM M. HANCOCK, Texas  
WILL HERTZ, Texas

ADAM B. SMITH, Colorado  
RANKINS MANNING

James C. Himes, Connecticut  
WILL O. STEARNS, Alabama  
FRANK GUTTENTAG, Indiana  
JIMMY H. SMITH, California  
MIKE GALEY, Illinois  
LITA SAMPSON, California  
JACOB G. CARR, Texas  
LARRY HOLT, Virginia

Paul H. Ryan, Speaker of the House  
Nancy Pelosi, Democratic Leader

U.S. HOUSE OF REPRESENTATIVES  
PERMANENT SELECT COMMITTEE  
ON INTELLIGENCE

HVC-304, THE CAPITOL  
WASHINGTON, DC 20515  
(202) 225-4121  
DANIEL HENSON  
STAFF DIRECTOR  
THEODORE R. ANDERSON  
EXECUTIVE SECRETARY

February 20, 2018

The Honorable James Comey



Dear Director Comey:

Enclosed please find a series of questions regarding the information contained in the Steele dossier, which was funded by the Democratic National Committee (DNC) and Hillary for America (Clinton campaign) and used in a Foreign Intelligence Surveillance Act (FISA) application targeting Carter Page.

Please provide complete written responses as soon as possible, and no later than Friday, March 2, 2018, to the attention of the Committee's chief clerk, Nick Ciarante. If you do not provide timely answers on a voluntary basis, the Committee will initiate compulsory process.

Thank you for your prompt attention this matter. If you have any questions, please contact Committee staff at 202-225-4121.

Sincerely,  
  
Devin Nunes  
Chairman



1. When and how did you first become aware of any of the information contained in the Steele dossier?
2. In what form(s) was the information in the Steele dossier presented to you? By whom? (Please describe each instance)
3. Who did you share this information with? When? In what form? (Please describe each instance)
4. What official actions did you take as a result of receiving the information contained in the Steele dossier?
5. Did you convene any meetings with the intelligence community and/or law enforcement communities as a result of the information contained in the Steele dossier?
6. When did you first learn or come to believe that the Steele dossier was funded by a Democrat-aligned entity?
7. When did you first learn or come to believe that the Steele dossier was funded by the Democratic National Committee (DNC) and/or Hillary for America (Clinton campaign)?
8. When did you first become aware that the Steele dossier was used to obtain a FISA order on Carter Page?
9. Was President Obama briefed on any information contained in the dossier prior to January 5, 2017?
10. Did you discuss the information contained in the Steele dossier with any reporters or other representatives of the media? If so, who and when?

Devin Nunes, ON/PA/CA, Executive

E. Michael Cassidy, Texas  
Paul T. King, New York  
Frank A. Lautenberg, New Jersey  
Thomas J. Pappas, Florida  
Lamar Smith, Texas  
Michael A. Turner, Ohio  
Dwight Whitford, Idaho  
Clayton S. Williams, Utah  
Rick Warren, Alabama  
Tommy Green, South Carolina  
Charles W. Stenfort, New York  
Will Hurd, Texas

Adam B. Schiff, California  
Rahm I. Emanuel

James A. Rosten, Connecticut  
Todd A. Chafee, Rhode Island  
Mark E. Green, Indiana  
Lamar Smith, California  
Mike Blumenthal, Illinois  
Clyde Spitzer, California  
John Cornyn, Texas  
Gerry Connors, Washington

Paul D. Ryan, Director of the House  
Nancy Pelosi, House Speaker

U.S. HOUSE OF REPRESENTATIVES  
PERMANENT SELECT COMMITTEE  
ON INTELLIGENCE

HVC-304, THE CAPITOL  
WASHINGTON, DC 20515  
(202) 225-4121

Devin Nunes  
Staff Director  
Thomas S. Claitor  
Executive Staff Director

February 20, 2018

Mr. Andrew McCabe  
Federal Bureau of Investigation  
935 Pennsylvania Ave, NW  
Washington, D.C. 20535


Dear Mr. McCabe:

Enclosed please find a series of questions regarding the information contained in the Steele dossier, which was funded by the Democratic National Committee (DNC) and Hillary for America (Clinton campaign) and used in a Foreign Intelligence Surveillance Act (FISA) application targeting Carter Page.

Please provide complete written responses as soon as possible, and no later than Friday, March 2, 2018, to the attention of the Committee's chief clerk, Nick Ciarlante. If you do not provide timely answers on a voluntary basis, the Committee will initiate compulsory process.

Thank you for your prompt attention this matter. If you have any questions, please contact Committee staff at 202-225-4121.

Sincerely,



Devin Nunes  
Chairman



1. When and how did you first become aware of any of the information contained in the Steele dossier?
2. In what form(s) was the information in the Steele dossier presented to you? By whom? (Please describe each instance)
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9. Was President Obama briefed on any information contained in the dossier prior to January 5, 2017?
10. Did you discuss the information contained in the Steele dossier with any reporters or other representatives of the media? If so, who and when?

Clare Murrell, California, Democratic

E. Nicholas Crossland, Texas  
Peter E. King, New York  
Russ A. Trafletto, New Jersey  
Thomas J. Riffe, Illinois  
Ileana Ros-Lehtinen, Florida  
Michael R. Turner, Ohio  
Bob E. Latta, Ohio  
Chris Elwood, Utah  
Rick Warren, California  
Tommy Greenway, South Carolina  
Hank Johnson, New York  
RICHARD BLUMENTHAL

John E. Snythe, California  
Randy Hironaka

James E. Lohmeyer, Connecticut  
Frank J. Guintoli, Arizona  
Andre Carson, Indiana  
Linda Sanchez, California  
John R. Gohmert, Texas  
Eric Swalley, Ohio  
Katherine Claitor, Texas  
Dennis Riffe, Washington

**U.S. HOUSE OF REPRESENTATIVES**  
PERMANENT SELECT COMMITTEE  
ON INTELLIGENCE

700-204, THE CAPITOL  
WASHINGTON, DC 20515  
(202) 225-4124

Deputy Majority  
CLARE MURRELL  
Training & Outreach  
KATHERINE CLAITOR

700-204, THE CAPITOL  
WASHINGTON, DC 20515

March 1, 2018

The Honorable Jeff Sessions  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Dear Mr. Attorney General:

The Federal Bureau of Investigation (FBI) is charged with protecting the American people and enforcing our laws in accordance with the U.S. Constitution. To carry out this essential mission, the FBI has a strict set of internal rules and procedures embodied in the Domestic Investigations and Operations Guide (DIOG). The DIOG was created by the Bureau itself and approved by the Department of Justice (DOJ).

The latest unredacted version of the DIOG available to the Committee (dated October 15, 2011) delineates procedures the FBI must follow when submitting applications to the Foreign Intelligence Surveillance Court (FISC) for orders to conduct surveillance through the Foreign Intelligence Surveillance Act (FISA). According to the DIOG:

- FISA surveillance is a very intrusive means of acquiring information that must balance the need to obtain sensitive national security information against civil liberties.
- When striking this balance, a verification process must be conducted for all FISA applications.
  - Under the subsection "FISA Verification of Accuracy Procedures," the FBI itself acknowledges this importance: "The accuracy of information contained within FISA applications is of utmost importance.... Only documented and verified information may be used to support FBI applications [FISA] to the court [FISC]."
- The DIOG provides detailed instructions for the FBI to follow to ensure that information appearing in a FISA application that is presented to the FISC has been thoroughly vetted and confirmed.

Former and current DOJ and FBI leadership have confirmed to the Committee that unverified information from the Steele dossier comprised an essential part of the FISA applications related to Carter Page. These details are outlined in a declassified memorandum released by the Committee on February 2, 2018, a copy of which is attached for your review.



March 26, 2018

**MINORITY VIEWS**

On March 1, 2017, the House Permanent Select Committee on Intelligence (HPSCI) approved a bipartisan “Scope of Investigation” to guide the Committee’s inquiry into Russia’s interference in the 2016 U.S. election.<sup>1</sup> In announcing these parameters for the House of Representatives’ only authorized investigation into Russia’s meddling, the Committee’s leadership pledged to undertake a thorough, bipartisan, and independent probe.

The Committee explained at the time that it would “conduct interviews, take witness testimony, and review all reporting underlying” the January 6, 2017 Intelligence Community Assessment (ICA) on Russia’s covert campaign.<sup>2</sup> Importantly, Chairman Devin Nunes and Ranking Member Adam Schiff promised the American public that the Committee would “seek to ensure [...] that allegations of Russian collusion with any U.S. Persons and the leaks of classified information are fully investigated.” Chairman Nunes vowed that “on a bipartisan basis, we will fully investigate all the evidence we collect and follow that evidence wherever it leads,” a promise echoed by Ranking Member Schiff, who said that the Committee “must follow the facts wherever they may lead, leaving no stone unturned, and that must also include both the Russian hacking and dumping of documents as well as any potential collusion between Russia and U.S. citizens.”<sup>3</sup>

One year later, the Committee’s Majority has shattered its commitment by rushing to end its investigation prematurely, even as it continues to investigate President Donald Trump’s political opponents, our intelligence agencies, law enforcement, and diplomatic corps, and former members of the Administration of President Barack Obama.

In so doing, the Majority has not only failed to meet the mandate given to the HPSCI by the Speaker of the House and the Minority Leader, but they have engaged in a systematic effort to muddy the waters, and to deflect attention away from the President, most recklessly in their assault on the central pillars of the rule of law. Their report, as with their overall conduct of the investigation, is unworthy of this Committee, the House of Representatives, and most importantly, the American people, who are now left to try to discern what is true and what is not.

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The Majority's report reflects a lack of seriousness and interest in pursuing the truth. By refusing to call in key witnesses, by refusing to request pertinent documents, and by refusing to compel and enforce witness cooperation and answers to key questions, the Majority hobbled the Committee's ability to conduct a credible investigation that could inspire public confidence. The Majority's conduct has also undermined Congress' independent investigative authority. Their repeated deferrals to the White House allowed witnesses to refuse cooperation, and permitted the Administration to dictate the terms of their interaction with Congress, or evade congressional oversight altogether, setting a damaging precedent for future non-cooperation by this President and, possibly, by his successors.

These Views memorialize the Minority's profound disappointment with and objections to the manner in which the Majority subverted this investigation, and highlight for the public some of the most glaring misrepresentations, distortions, and inaccuracies in the Majority's report.

A majority of the report's findings are misleading and unsupported by the facts and the investigative record. They have been crafted to advance a political narrative that exonerates the President, downplays Russia's preference and support for then-candidate Trump, explains away repeated contacts by Trump associates with Russia-aligned actors, and seeks to shift suspicion towards President Trump's political opponents and the prior administration.

One can find no better example of the Majority's willingness to contort facts to support its politicized narrative than the report's *Finding #35*. The Majority argues that evidence that Trump associates sought after the election to establish secret back channels to communicate with the Russians without the U.S. government finding out – and then lied about it – actually proves there was no collusion with Russia. The sophistry of this kind of analysis, and the report as a whole, wither under scrutiny. Even before its public release, the report suffered in the face of public revelations that bear directly on the investigation and contradicted the Majority's conclusions.

Tragically, for a country in need of the truth and an election system in need of greater security, the Majority diverted the investigation in the service of President Trump by launching parallel probes to promote baseless allegations of wrongdoing by the Obama Administration and our law enforcement agencies. The Majority's efforts have cultivated doubt about what occurred during the 2016 elections; cast suspicion on the Federal Bureau of Investigation (FBI) and Department of Justice (DOJ), including the FBI's basis for and handling of its counterintelligence investigation into links between Russia and the Trump campaign; and sought to undercut Special Counsel Robert Mueller's ongoing investigation, including by attempting to tarnish the credibility of numerous current and former officials with knowledge pertinent to the Special Counsel's probe.

Despite these setbacks and the constraints of being in the Minority, the Committee's Democratic Members remain committed to continuing the investigation. We have significantly advanced our understanding of key aspects of the investigation, including Russia's covert activities and the



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issues of collusion and obstruction of justice. We have assembled to date a significant body of evidence from witness interviews, hearings, classified intelligence, and materials produced to the Committee, which has in turn identified new leads, persons, and entities of interest.

Our charge remains clear and unchanged: ensure a full accounting of Russia's meddling, including the involvement by any U.S. persons; inoculate the public against future foreign influence campaigns; and provide a roadmap for securing future elections. These Minority Views are not a substitute for a comprehensive report, which the Minority will present to the American public after completing the necessary investigatory work. Instead, the Minority Views will highlight a small portion of the evidence that has come to our attention, the many important leads which the Majority made a deliberate decision not to pursue, and the reasons to reject the Majority's attempt to explain away conduct by the Trump campaign that was clearly deceptive and unethical, and may very well have violated U.S. laws.

We have drafted our analysis in these Views in unclassified form for the public, which means we have not included crucial, but classified, intelligence reporting, including post-election collection, that has informed our analysis and advanced our understanding of Russia's active measures and links with U.S. persons. Our ultimate report will draw on and weave together this rich corpus of classified and unclassified information.

The Minority has also incorporated into the body of these Views the transcripts of all 64 transcribed interviews conducted by the Committee during the investigation, as well as the Committee's March 22, 2018 business meeting to adopt the Majority's report. Chairman Nunes and Representative Mike Conaway committed to the Minority, and stated publicly on repeated occasions, that the Committee would release all interview transcripts once the Majority issued its report. In the absence of a bipartisan report, and recognizing that the Minority still needs to investigate substantial areas of inquiry before issuing a comprehensive account, publication of these transcripts, pursuant to appropriate declassification review, is a necessary step. Doing so affords the American public the opportunity to evaluate for themselves the Majority's assertions with the benefit of a core component of the underlying investigative record: testimony by key witnesses who have thus far appeared before the Committee. And importantly, the transcripts also make clear how perfunctory an effort the Majority made to get to the truth.

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**APPENDICES**

**Note:** The appendices follow Chapter VI of the Minority Views (Transcripts)

**Appendix A:** “Status of the Russia Investigation,” HPSCI Minority, March 13, 2018.

**Appendix B:** Letter to Representative Conaway from Ranking Member Schiff, November 7, 2017.

**Appendix C:** Additional Witnesses Requested by HPSCI Minority During Investigation

**Appendix D:** Ranking Member Schiff Opening Statement, HPSCI Open Hearing on Russia Investigation, March 20, 2017.

**Appendix E:** Ranking Member Schiff Opening Statement, HPSCI Business Meeting on “Adoption of the Committee’s Investigative Report into Russian Active Measures During the 2016 Presidential Election,” March 22, 2018.

**Appendix F:** HPSCI Minority Memorandum, “Correcting the Record – The Russia Investigations,” January 29, 2018. Released publicly on February 24, 2018.

**Appendix G:** HPSCI Exchange of Letters with the White House regarding Memorialization of Communications between President Trump and former FBI Director Comey, June 2017.

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## SIGNATURE PAGE



## **I. THE COMMITTEE'S INVESTIGATION AND COUNTER-INVESTIGATION**

On March 12, 2018, the Committee Majority announced publicly that it had finished its Russia investigation and previewed several conclusions reached by the Republican Members.<sup>4</sup> The Majority's announcement was made without advance notice to, or consultation with, the Minority, which learned about the decision from press reports. The Majority subsequently scheduled for March 22, 2018 a vote to adopt a report that it drafted unilaterally and in secret. The Minority received a copy of the Majority's report for the first time on March 13, 2018, only to learn that the Majority would continue to make substantive modifications and revisions to its report up until the eve of the vote.

In the ten days between its announcement and the Committee vote on adoption of the report, the Majority faced considerable public criticism after previewing that, contrary to both classified and unclassified evidence, its report would (1) dispute the Intelligence Community's assessment that Russian President Vladimir Putin aspired to help candidate Trump and (2) conclude that the Committee's Republicans have found no evidence of collusion.<sup>5</sup>

In public appearances announcing their results, Majority Members contradicted themselves in trying to explain away evidence of Russia's support for Donald Trump's candidacy and justify how Russian efforts to hurt the Clinton campaign did not simultaneously help Trump. As explained in Chapter II, the Majority revised this core finding prior to the vote to make it less explicit in the body of the report. President Trump nonetheless quickly endorsed the Committee Majority's exculpatory conclusion in tweets on March 12 and March 17, 2018.<sup>6</sup> On March 23, 2018, the day after the Majority's March 22, 2018 vote to adopt the report, the President touted their findings again:

*"House Intelligence Committee votes to release final report. FINDINGS: (1) No evidence provided of Collusion between Trump Campaign & Russia. (2) The Obama Administrations Post election response was insufficient. (3) Clapper provided inconsistent testimony on media contacts."*<sup>7</sup>

The Kremlin's propaganda channels, RT and Sputnik, also favorably reported the Majority's conclusions.<sup>8</sup>

At the same time the Majority announced that its Russia probe had gone on too long and would be shut down, the Chairman also stated that its side or counter-investigations would be "still ongoing" and would likely expand after the ostensible end of its Russia investigation.<sup>9</sup> Since the inception of the Committee's Russia investigation in March 2017, the Majority has initiated unilateral counter-investigations into fringe and debunked allegations of: improper "unmasking" by Obama Administration officials; Foreign Intelligence Surveillance Act (FISA) "abuses" by the FBI and DOJ in the course of their counterintelligence investigation of Russia and links to Trump campaign associates; a Hillary Clinton-tied conspiracy to procure and disseminate the "dossier" compiled by Christopher Steele; and improprieties related to Clinton during the

Committee on Foreign Investment in the United States' (CFIUS) 2010 review of uranium mining company Uranium One's sale to a subsidiary of Rosatom, Russia's Atomic Energy Agency. The Majority has recently indicated that it is also investigating the State Department for links to Steele.

### *Investigative Process*

The rushed manner in which the Majority has sought to end its investigation of Russia's actions, and adopt, along party lines, its flawed and partisan report, is a fitting capstone to the Majority's conduct during the Russia investigation.

As the Committee's Majority, the Republican Members, led by Chairman Nunes, held the power to dictate the pace and terms for our investigation, including which witnesses to call in and when; which documents to request; whether to issue subpoenas; and, when necessary, whether to enforce Congress' power to compel testimony and production of documents. Regrettably, following a brief spell of bipartisanship after the Chairman announced on April 6, 2017 that other Majority Members would "temporarily take charge of the Committee's Russia investigation" due to a House Ethics Committee investigation into his actions, the Majority wielded their power to stymie the investigation.<sup>10</sup>

The Majority circumscribed severely, and at times affirmatively blocked, important aspects of our work. Most distressing, they exhibited a fundamental disinterest in pursuing core lines of inquiry authorized by the Committee's Scope of Investigation. Their report reflects this lack of investigative vigor.

On March 13, 2018, the Committee Minority released an update – "Status of the Russian Investigation" – to inform the American public of the Committee's outstanding areas of inquiry (see Appendix A).<sup>11</sup> This status update provides a snapshot of the investigative leads and steps left unaddressed as the Majority moved to shutter the investigation. These include more than 30 key witnesses yet to be interviewed (selected from a more extensive witness list, which is attached at Appendix C); more than 20 entities from which documents have yet to be requested; and more than 15 subpoenas that the Majority never issued or enforced. This followed a November 7, 2017 letter from Ranking Member Schiff to Representative Conaway, attached at Appendix B, in which the Minority outlined over 60 individuals and entities from which the Committee should request or compel cooperation. The Committee subsequently interviewed fewer than half the individuals on the list, many of whom provided incomplete or potentially misleading testimony, and did not request the specified documents.

As the Minority's investigative updates demonstrate, the Majority consistently short-circuited investigative best practices and refused to hear relevant testimony and seek pertinent records. Beginning in the summer of 2017, and accelerating in the fall, the Majority placed increasingly counterproductive restrictions on the investigation:



- **Witnesses:** The Majority refused to seek testimony from dozens of witnesses proposed by the Minority, as described above. The Majority also failed to call in a significant number of current and former U.S. government officials, as well as outside experts, who could have shed light on Russia's active measures campaign, the U.S. government's response under the Obama and Trump administrations, and policy and legislative recommendations to protect the United States and our elections infrastructure moving forward. This includes numerous Intelligence Community personnel with unique insight who were or are currently in sensitive positions and are engaged in pertinent operational activity, such as the FBI's new Foreign Influence Task Force.

The Majority also made no effort to engage the Special Counsel about interviewing central witnesses in this probe: Michael Flynn, Paul Manafort, Rick Gates, George Papadopoulos, and George Nader. To ensure a credible investigation, particularly on the issues of collusion, financial leverage and money laundering, and obstruction of justice, the Committee must interview these individuals. All but Manafort have entered into cooperation agreements with the Special Counsel, and the Committee should have engaged with his office to determine when interviews could proceed without impairing his work. The Minority made a motion to do so at the time the Majority sought adoption of its report, but the Majority voted against pursuing interviews of these key witnesses. The transcript of the March 22, 2018 Committee business meeting is incorporated in Chapter VI.

The Majority's refusal to seek testimony from George Papadopoulos exemplifies its efforts to impair the investigation. Without interviewing Papadopoulos and seeking relevant records to determine whom on the campaign he would have reported this overture to and assess whether any follow-up occurred, the Committee was unable to examine the precise facts regarding Russia's approach to Papadopoulos, during which they informed him they possessed stolen Clinton-related emails and, crucially, previewed their later dissemination of this information. Only weeks later, the President's son, Donald Trump, Jr., would take a meeting in Trump Tower with other Russian emissaries offering dirt on Clinton. This yawning gap in the investigative record, and many others, fundamentally undermines the credibility of the Majority's findings.

The Majority often rushed to conduct other interviews – particularly with witnesses associated with the Trump campaign or the White House – before the Committee had adequately processed relevant documents, or even received them. Interviews were scheduled with little regard for investigative strategy. For instance, witnesses of particular interest, like Jared Kushner and Michael Cohen, were brought in before the Committee could hear from other foundational witnesses with relevant testimony, prior to receiving important document production, and without sufficient time to conduct a forensic assessment of material in the Committee's possession. The Majority has since rebuffed the Minority's requests to bring these witnesses back, despite commitments that they would do so if necessary.

Key witnesses, moreover, were scheduled during overlapping timeframes, impairing the ability of Minority Members to attend certain interviews and straining the ability of staff to prepare Members, who were juggling two or even three interviews in a single day. In their haste to finish interviews, the Majority unilaterally conceded to conducting some in other cities or by video-teleconference, rather than in the Committee's spaces, and on days Members had votes and could not easily attend, or could not attend at all. Interviews were conducted in New York with two witnesses who expressed readiness to come to the Committee to be interviewed instead. The interview of Alexander Nix was conducted by video-teleconference, even though he informed the Committee during the interview that he traveled to the United States almost every month and would have been willing to come in — if he had been asked.

As the attached interview transcripts show, the interviews themselves revealed the stark difference in questioning and preparation between the Majority and Minority. Too often, the few Majority Members present asked limited questions, anchored by a superficial inquiry about whether self-interested witnesses were aware of any “collusion, coordination, or cooperation” between the Trump campaign and Russia. The Majority systematically denied Minority requests to compel production of records—electronic, phone, and other material—to assess the veracity of these responses. Taken as a whole, the testimonial record demonstrates the profound disinterest the Majority has exhibited throughout the Russia investigation. Even Mr. Nix, caught on camera in a British undercover news investigation, would ridicule this lack of seriousness of the Majority's abbreviated questioning.<sup>12</sup>

- **Open Hearings:** The Majority held only four open hearings during the course of the investigation. Though limited in number, these hearings served an important educational function. The public heard directly about key aspects of Russia's active measures campaign from FBI Director James Comey on March 20, 2017 (during which he revealed the existence of the FBI counterintelligence investigation), former CIA Director John Brennan on May 23, 2017, former DHS Secretary Jeh Johnson on June 21, 2017, and senior executives from Facebook, Twitter, and Google on November 1, 2017. Unfortunately, the Majority cancelled the hearing with Sally Yates and Director of National Intelligence James Clapper, and refused additional hearings, including about election security. Such a hearing could have served as an opportunity to clarify for the public the extent of Russia's intrusion into our election systems, highlight vulnerabilities in our elections infrastructure, and identify technical and other solutions necessary to protect our country.
- **Document Production:** At the outset of the investigation, the Majority agreed to request documents from key persons and entities, including the Trump Organization, Trump campaign, and presidential transition. In practice, it imposed unnecessarily narrow criteria for cooperation, limiting requests to only particular search terms and to material dating back only to 2015. Despite repeated entreaties, the Majority refused follow-up document requests informed by new information and leads. For instance, the Committee has not received from the Trump campaign and transition all correspondence to and from George Papadopoulos,



Carter Page, and other key persons of interest, thereby making it impossible to determine whether the Committee has reviewed the complete universe of relevant correspondence. Similarly, the Majority refused to seek documents from over 20 entities, despite repeated Minority requests. During the business meeting in which the Majority sought to release its report, the Minority moved to issue subpoenas to relevant organizations, telecommunications providers, banks and other entities, but the Majority refused on a party line basis (see Chapter VI for transcript of March 22, 2017 business meeting).

- **Compulsory Process:** The Majority’s systematic refusal to use the Committee’s subpoena power to advance the Russia investigation has weakened Congress’ independent investigative powers. Combined with the Trump Administration’s disregard for congressional authority and disdain for the investigation, this sets a dangerous precedent for future relations between the White House and Congress.

Contrary to the assertion in the Majority report, Chairman Nunes authorized the majority of the Committee’s subpoenas in service of his unilateral counter-investigations into “unmasking,” against the FBI and DOJ, and to compel witnesses who the Majority believed had information they could exploit to tar Christopher Steele and his research. By contrast, the Majority opposed more than 15 subpoena requests by the Minority, some of which were necessary to compel testimony in the face of non-existent, overly broad, or farcical claims of executive and attorney-client privilege.

Steve Bannon was the only witness the Majority was willing to subpoena in the face of White House-directed defiance, and even there, the Majority ultimately backed down. Committee Republicans refused to consider a contempt recommendation for Bannon after the White House continued to bar Bannon from key testimony, save for answering “no” to 25 questions furnished by the White House that were meant to cover the entire period from the transition through Bannon’s tenure at the White House.

During Bannon’s February 15, 2018 follow-up interview, with the subpoena still in effect, Bannon refused to answer questions beyond those authorized by the White House. In response to a question from Ranking Member Schiff as to whether Bannon ever discussed the Russia investigation with either Speaker Paul Ryan or Chairman Nunes, Bannon denied communicating with Speaker Ryan, but claimed he was unauthorized by the White House to answer the question about the Chairman. Under subsequent questioning about his contacts since leaving the White House, Bannon had no choice but to acknowledge communicating with Chairman Nunes, but did not answer questions about the frequency, means, and subject matter of their communications.<sup>13</sup> Bannon’s refusal to answer demonstrates how the White House, in confining pertinent witnesses to carefully-worded questions, sought to mislead the Committee. Although Bannon remained under subpoena, the Majority refused during the interview to order Bannon to answer questions beyond those authorized by the White House. A motion to hold Steve Bannon in contempt was also defeated on a party-line vote (see Chapter VI for transcript of March 22, 2017 business meeting).

Through January and February 2018, the Majority scheduled only five remaining witness interviews (two of those interviewed, Steve Bannon and Corey Lewandowski, would appear twice) and signaled that they would not invite additional witnesses to testify. The Majority also opposed repeated Minority efforts to hold a Committee-wide Members meeting to discuss the status of the investigation, seek common ground, and develop a joint plan to work towards a bipartisan report. Instead, the Majority consumed the Committee's time and resources by initiating a never-before used parliamentary process to release to the public a profoundly misleading, now-debunked classified memorandum alleging serious FISA-related abuses by DOJ and FBI in the course of the FBI's counterintelligence investigation. In response, the Minority wrote a rebuttal memorandum (see Appendix F), which the Majority and the White House delayed releasing for weeks.<sup>14</sup>

### *Progress and Outstanding Lines of Inquiry*

The Majority's actions have, at this stage, deprived the Committee and country of a credible and thorough investigation. Even under these constraints, however, the Minority has been able to make significant progress in understanding what occurred during the 2016 U.S. elections and identifying new leads as well as persons and entities of interest. The Minority has amassed significant material that helps clarify, among other investigative threads:

- The intelligence information, sources and methods, and analysis underlying the January 6, 2017 Intelligence Community Assessment;
- Russia's covert cyber efforts preceding and during the elections, including its hacking and dissemination operation aimed at weaponizing stolen information for political gain;
- Russia's intelligence operations during the election, in which it used intermediaries and cutouts to probe, establish contact, and possibly glean valuable information from a diverse set of actors associated with President Trump and his campaign; and
- Russia's sophisticated and well-funded online and social media operation, which exploited platforms such as Facebook, Twitter, and Google, but appears to have also taken advantage of other mediums, such as Reddit, Tumblr, Snapchat, and Imgur.

As the Minority's March 13 Status Update makes clear (see Appendix A), however, significant questions remain that require greater investigation. Although important evidence has been found on the issues of collusion and obstruction, much work remains on these and other vital lines of inquiry and key unanswered questions:



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- Whether and to what extent certain U.S. persons, including individuals associated with then-candidate Trump, his companies, and his campaign, knew of, abetted, or were otherwise involved in Russia's active measures, including its anonymous dissemination efforts;
- The precise circumstances of and reasons for contact by Trump associates with Russian actors and intermediaries in the lead up to, during, and immediately following the election, including communications that may have occurred surrounding and during these encounters and why President Trump and associates have sought to deny, cover up, and deceive Congress and the public about these contacts;
- Whether and to what extent Russia – directly or through proxies, financial institutions, or other state or non-state actors – exploited financial transactions or other dealings to launder funds, gain financial leverage, or otherwise influence and benefit Trump or his associates, including close advisors such as Jared Kushner;
- Contact and coordination between Trump transition officials and Russia after the election, including in response to the Obama Administration's decision to impose new sanctions to punish Russia for its election interference, and the Administration's false statements about these contacts, including the precise circumstances that led Vice President Mike Pence to misrepresent Flynn's activities;
- Efforts by President Trump and his associates to interfere with, obstruct or discredit the FBI and then the Special Counsel's investigation, including through pressure on senior law enforcement officials to drop investigations or make exonerating public representations; by firing FBI Director Comey and issuing instructions to fire Special Counsel Mueller; and crafting and disseminating statements intended to mislead investigators and the public, and possibly suppressing evidence that would contradict revelations about contact with Russian actors;
- The full extent of Russia's infiltration of state-based voter systems, identification of vulnerabilities that Russia exploited in 2016, and persistent vulnerabilities that require effective remedial measures, and practical safeguards to harden our elections infrastructure.

Congress has an obligation to find out the truth and inform the American people. The Committee's Minority therefore remains fully committed to conducting this investigation as originally envisioned, leaving no stone unturned in determining the facts of Russia's interference in the 2016 U.S. elections and the steps we must take to ensure the future integrity of our democratic process. To the best of our ability, we will continue to do so, until such time as the full Congress once again lives up to its oversight responsibilities.

## **II. THE MAJORITY’S RUSSIA REPORT FINDINGS**

The Majority’s report lists 44 key findings across five chapters: *Russian Campaigns in Europe*; *Russia Attacks the United States*; *America Reacts*; *Campaign Links to Russia*; and *Intelligence Community Assessment Leaks*. Many of the findings are misleading, at odds with the investigative record, and crafted to advance a political narrative beneficial to President Trump. The report’s underlying analysis, moreover, is rife with significant inaccuracies, mischaracterizations, vital omissions of fact and context, and often risible attempts to explain away inconvenient truths discovered in the course of the Committee’s investigation.

Rather than strain to debunk and fact-check every misleading assertion in the Majority report, these Minority Views instead address two of the report’s most unsupported and controversial claims:

- That the Intelligence Community erred in its core judgment that Russian President Vladimir Putin aspired to help candidate Donald Trump; and
- That the Committee found no evidence of Trump campaign collusion with Russia.

### ***Putin’s Preference for Trump***

#### **January 2017 Intelligence Community Assessment**

Despite the Majority’s inclusion of a significant body of Intelligence Community reporting on Russian interference in Europe, and its claim to have supported the conclusions of the January 6, 2017 declassified Intelligence Community Assessment (ICA) on Russian interference in the U.S. election,<sup>15</sup> the report concludes, without offering evidence, that analytic “tradecraft failures” provide reason to doubt a key assessment in the ICA – that Russia “aspired to help [Trump’s] election chances when possible by discrediting Secretary Clinton and publicly contrasting her unfavorably to him.”<sup>16</sup> The Majority previewed this conclusion in a one-page description of its report, which it released publicly on March 12, 2018 to severe criticism. The press release stated that Committee Republicans concurred with “the Intelligence Community Assessment’s judgments, except with respect to Putin’s supposed preference for candidate Trump.”

Over the course of substantively revising its report in the days prior to the March 22, 2018 business meeting, the Majority modified this finding and dropped an explicit reference to the ICA’s judgment about Putin’s preference for Trump. In the first draft provided to the Minority on March 13, 2018, the Majority argued that the ICA’s “judgements on Putin’s strategic intentions raise tradecraft concerns.” In the March 21, 2018 draft provided on the eve of the business meeting, this finding was changed to state that the ICA’s “judgements on Putin’s strategic intentions *did not employ proper analytic tradecraft*” (emphasis added). Moreover, the March 21, 2018 version specifically omits a previously included quote from the ICA that made clear that the Majority took issue with the ICA’s judgment that Putin aspired to help candidate



Trump. Instead, the revised section only refers vaguely to “a key assessment on Putin’s strategic intentions.”<sup>17</sup>

Neither the report, nor the press release, provide any evidence or analysis as to why the Majority came to this conclusion—a finding at odds with the Intelligence Community, the House Intelligence Committee Minority, the Majority and Minority leaders of the Senate Intelligence Committee, and the Special Counsel.<sup>18</sup>

Upon a thorough review of the underlying source material that informed the ICA’s findings, briefings with the analysts and senior leaders who authored and reviewed the report, and classified and unclassified hearings with directors of the agencies responsible—CIA, NSA, and FBI—the Minority has found no evidence that calls into question the quality and reliability of the ICA’s underlying reporting and key judgments, including the assessment about President Putin’s desire to help candidate Trump. The Minority likewise has found no reason to doubt the subject matter expertise and analytic rigor of the ICA’s authors, nor the review standards and process leading to the assessment’s production and release.

Revelations since the release of the ICA in January 2017 have only strengthened our agreement with its assessment of Putin’s motives. Most recently, the Special Counsel Office’s February 16, 2018 indictment of the St. Petersburg-based and Kremlin-linked Internet Research Agency (IRA) and 12 of its associates makes clear that, “by early to mid-2016, Defendants’ operations included supporting the presidential campaign of then-candidate Donald J. Trump (“Trump campaign”) and disparaging Hillary Clinton.”<sup>19</sup>

The Majority notes in its Russia report that a more detailed accounting of its finding disagreeing with the ICA will be forthcoming later in 2018. We will carefully review the Majority’s secondary report, which it failed to share with the Minority prior to adoption of its primary report, once received. However, having reviewed the same body of intelligence as the Majority and coming to no such disagreement with the IC, we are left to presume that the Majority has sought release of this finding publicly, while withholding from the Minority and the public the underlying analysis it claims informs its conclusion, in an attempt to sow doubt about the IC’s credibility and reliability on this matter and perhaps to appeal to President Trump.

### *Russia’s Social Media Campaign*

Consistent with its attempt to undermine the ICA assessment on Putin’s support of Trump, the Majority’s analysis reflects a consistent blind spot about Russia’s social media campaign— and its clear preference for Donald Trump. For instance, it acknowledges RT’s (formerly Russia Today) role as a propaganda vehicle for the Russian government, and its effort to weaken Clinton. However, the Majority persistently ignores Russian-directed activity in support of Trump, as this report excerpt demonstrates:

*“RT was critical of presidential candidates from both major parties but was consistently critical of candidate Clinton through the election. RT’s attacks against candidate Clinton were wide-ranging, including the insinuation that the Clinton family were criminals. RT also used advertising to promote material leaked by Russian intelligence, which targeted candidate Clinton and the Democratic Party.”<sup>20</sup>*

As Facebook and Twitter material released to the public by the Committee illustrates, Russia pumped material into the online ecosystem that promoted Trump over Clinton. The Special Counsel’s indictment of the Russia-based IRA outlines the same finding: “Defendants posted derogatory information about a number of candidates, and by early to mid-2016, Defendants’ operations included supporting the presidential campaign of then-candidate Donald J. Trump (“Trump Campaign”) and disparaging Hillary Clinton.”<sup>21</sup>

Also absent from the Majority’s social media findings are updates provided by the companies themselves since the Committee’s November 1, 2017 open hearing. For example, Twitter informed Congress on January 19, 2018 that it had “identified an additional 1,062 accounts that appear to be IRA-linked,” bringing the total to 3,814 handles—not the 2,752 number listed in the Majority report.<sup>22</sup> That update also revealed that Russian-linked automated accounts retweeted the @realDonaldTrump Twitter handle nearly ten times as much as the @HillaryClinton handle from the period of September 1, 2016 to November 15, 2016—another data point that underscores Russian intent to boost the viability of candidate Trump’s campaign.<sup>23</sup>

The Majority also seeks to downplay the scope and impact of Russia’s malign activities against Clinton on Facebook. The report paints Russia’s online messaging as generally divisive and implies broadly equal criticism of both presidential candidates. This cursory analysis of activity on Twitter, Facebook, and Google fails to mention the trove of online activity that the Committee has received from the companies that highlight how Russian online operatives explicitly sought to damage Clinton and boost Trump, consistent with the ICA assessment and the Special Counsel’s indictment. For instance, the Minority has highlighted Facebook and Instagram ads that promoted pro-Trump rallies in Florida before the election, which aligns squarely with the Special Counsel’s own findings.<sup>24</sup>

Other ads in production received by the Committee reinforce the pro-Trump tenor of the overall Russian IRA online campaign: one fake “Being Patriotic” page described Clinton as the “main hardliner against cops” and said that “[a]mong all the candidates Donald Trump is the one and only who can defend the police from terrorists.”<sup>25</sup>

Moreover, the Majority fails to appreciate that many of the Facebook pages and ads that appeared at first to be unrelated to specific candidates or focused on socio-political issues or discrete populations (such as African- or Muslim-Americans), at times used language, images, and graphics intended to purposefully associate candidate Clinton with particular groups in an effort to reinforce assumptions and prejudices among potential voters who harbored suspicions and concerns about her.<sup>26 27</sup>



Russian exploitation of other social media platforms, such as Reddit, Tumblr, Imgur, or Snapchat, remain unexplored by the Majority, despite classified and unclassified intelligence indicating the need for further inquiry. As recently as March 23, 2018 – a day after the Majority voted to end its investigation – Tumblr publicly acknowledged it had “uncovered 84 Tumblr accounts linked to the Russian government through the Internet Research Agency, or IRA.”<sup>28</sup> The platform has published a list of these accounts and has committed to add to that registry if it discovers more Russian foreign influence-linked users moving forward.<sup>29</sup> This is but one example of how the Majority neglected to pursue other valid leads about the activities of Russian operatives online, to the clear detriment of compiling a comprehensive accounting of the scope and depth of Kremlin-directed activities on social media platforms.

In a final effort to obscure Russia’s social media operation in support of Trump, the Majority report argues that “Russian malign influence activities on Facebook were significant but they were not well-funded or large-scale operations relative to the overall scope of election-related activity on these platforms.”<sup>30</sup> In its February 16, 2018 indictment, the Special Counsel revealed that the IRA’s operation was in fact well-funded and organized. The Committee, moreover, was unable to fully investigate and determine the financial backing, scope, and reach of Russia’s covert effort. This is an area that will require greater investigation.

As detailed below, Russia’s hacking of Democratic National Committee (DNC) and Clinton-related emails, and the weaponization of this information through anonymous dissemination, served the very objective identified in the ICA: to help Trump and hurt Clinton.

Moreover, even as the Majority shutters its own investigation into Russia’s meddling, new developments have emerged related to Cambridge Analytica, which ran the Trump campaign’s digital media operation. On March 17, 2018, news organizations in the United States and United Kingdom began publishing a series of reports detailing the role of Cambridge Analytica in the 2016 U.S. election and the misappropriation of Facebook data of more than 50 million users. This data reportedly provided the basis for the algorithms underlying Cambridge Analytica’s election support to U.S. political candidates, thereby allowing it to exploit the private social media activity of a large swath of the American electorate and develop techniques that potentially underpinned its work on President Trump’s campaign.<sup>31</sup>

These revelations are in stark contrast to the testimony of Cambridge Analytica CEO Alexander Nix.

*QUESTION: Has Cambridge Analytica acquired bulk data through Facebook?*

*MR. NIX: No, it has not.*<sup>32</sup>

*QUESTION: Did Cambridge Analytica use any other third-party data that was not purchased?*

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*MR. NIX: As far as I'm aware, it did not.*<sup>33</sup>

In addition to Nix's questionable testimony, the new reports raise questions about potential Russian access to and use of this data. Cambridge Analytica may have sought business in Russia and with sanctioned Russian entities, such as Lukoil, and the researcher the company worked through to access the Facebook data appears to have research links at a Russian state university.<sup>34</sup> This is an area that the Minority will focus on intensively in the next phase of its investigation.



### **III. COLLUSION**

#### ***What We Know***

One year into the Russia investigation, the Minority has obtained a body of classified and unclassified evidence pointing to an unprecedented effort by the Russian government – consistent with Russian intelligence tradecraft – to gain entrée to and influence with individuals associated with the Trump campaign, including the candidate himself. Also unprecedented was the willingness by Trump campaign officials to accept those overtures.

The Committee has identified numerous meetings and contacts between Trump officials – from the campaign, transition, and administration – and representatives of the Russian government dispatched by the Kremlin. These meetings included repeated offers of assistance, a willingness by the campaign to accept that assistance, and even a conspiracy to undermine Obama Administration sanctions responding to Russia’s election interference. The pattern of deception surrounding these meetings – first denying they took place; then, when discovered, denying their content; and then denying their significance – suggests a consciousness of wrongfulness, if not illegality.

The following unclassified overview addresses only some of these contacts and does not incorporate important classified information, including sensitive intelligence, that has otherwise informed the Minority’s analysis.

#### ***April 2016 – George Papadopoulos Email Hack Revelations***

Early in the Presidential race, Russia made one of its initial approaches to the Trump campaign through one of candidate Trump’s five original foreign policy advisors, George Papadopoulos, who Trump had described publicly as an “excellent guy.” In their approach to Papadopoulos, the Russians used common tradecraft and employed a cutout—a Maltese professor named Joseph Mifsud. In late April 2016, Mifsud informed Papadopoulos that the Kremlin had “dirt” on Hillary Clinton in the form of “thousands of emails,” and, crucially, previewed the Russians’ release of this information. The early timing of this approach is significant; in April of 2016, not even the DNC or Clinton campaign appears to have been aware that the Russians were in possession of private emails.

The Russians followed up this initial approach with additional meetings and overtures. On or about April 18, 2016, Mifsud introduced Papadopoulos to a Russian individual connected to the Ministry of Foreign Affairs (MFA). Papadopoulos and the MFA contact engaged in multiple conversations by Skype and email over the next several weeks, attempting to link Trump campaign officials and Russian officials. In early May, the person connected to the Russian MFA informed Papadopoulos that MFA officials were open for cooperation, and suggested a meeting between Papadopoulos and the Russian government’s North American Desk in Moscow.

Papadopoulos reported this communication to a “High-Ranking” campaign official to seek guidance on how the Trump campaign wished to proceed. The next day, Papadopoulos spoke by phone with the “Campaign Supervisor,” and, following that call, forwarded the email from the MFA connection to the Campaign Supervisor – adding to the top of the email “Russia updates.”<sup>35</sup>

From mid-June through mid-August 2016, Papadopoulos pursued an “off the record” meeting between Trump campaign officials and officials from President Putin’s office as well as the Russian MFA. On about June 19, 2016, Papadopoulos emailed the “High-Ranking” campaign official with the subject line “New message from Russia”: “The Russian ministry of foreign affairs messaged and said that if Mr. Trump is unable to make it to Russia, if a campaign rep (me or someone else) can make it for meetings? I am willing to make the trip off the record if it’s in the interest of Mr. [T]rump and the campaign to meet specific people.”<sup>36</sup> After several weeks of additional communications discussing a potential “off the record” meeting with Russian officials, in mid-August 2016, the “Campaign Supervisor” informed Papadopoulos, “I would encourage you” and another campaign foreign policy advisor to “make the trip[], if it is feasible.”<sup>37</sup>

The Majority portrays Papadopoulos as an inconsequential campaign volunteer – a “coffee boy,” according to campaign officials – who made only minor contributions to the campaign, and downplays the significance of Papadopoulos’s contacts with Kremlin-linked Mifsud and a connection to Russia’s Ministry of Foreign Affairs. This characterization of Papadopoulos contradicts public reports, testimony, and documents produced to the Committee, which indicate that he was involved in coordinating meetings between candidate Trump and foreign leaders during the campaign and the transition, and communicated with high-level Trump associates throughout.

For example, during the 2016 Republican National Convention in Cleveland, Papadopoulos spoke at a foreign policy panel hosted by the American Jewish Committee. Other program panelists included Senator Bob Corker and Representatives Tom Marino and Ted Yoho.<sup>38</sup> Similarly, a foreign policy advisor on the Trump campaign testified that Papadopoulos was directly involved in arranging a meeting between then-candidate Trump and Egyptian President Sisi in September 2016.<sup>39</sup> This witness also indicated that Papadopoulos was directed by the campaign to engage in outreach to “Orthodox Christian” constituencies across the U.S. as part of the campaign’s get out of the vote effort prior to election day.<sup>40</sup>

The Majority claims that no witness “shed light on the provenance of the emails” offered by the Kremlin-linked actor.<sup>41</sup> In the same section, the Majority claims that no witness “clarif[ied] that [Kremlin-affiliated] Mifsud was referring to emails actually stolen by the Russians (as opposed to, for example, emails missing from Clinton’s private server).” The Majority also states that it found no evidence that Papadopoulos told anyone affiliated with the Trump campaign about Mifsud’s claims that the Russians had ‘dirt’ on candidate Clinton.”<sup>42</sup>



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The Majority, in fact, has refused to engage the Special Counsel's office to seek Papadopoulos' testimony before the Committee. It opposed pursuing his production of documents, and turned down requests to interview campaign officials that Papadopoulos interacted with and may have communicated with about the Russian overture. The Majority also refused to interview other individuals who may be knowledgeable about Papadopoulos's receipt of information on the stolen emails, including his wife, Simona Magiante. By failing to take these natural investigative steps, the Majority has made clear that it is not interested in determining "the provenance of the emails," with whom on the campaign Papadopoulos shared this information, or any other information that might implicate the Trump campaign in collusion with the Russians. You cannot find what you do not seek.

The Majority's suggestion that the emails to which Mifsud referred might be those connected to Hillary Clinton's private server, instead of those stolen from the DNC, is equally disingenuous. The FBI determined in 2016 that there is no evidence to indicate that Clinton's private email server was ever successfully hacked.<sup>43</sup> More significant, only weeks after Papadopoulos learned that the Russians had stolen emails and previewed their dissemination, the Russian government, through WikiLeaks and other intermediaries, began their anonymous release of these materials.

Papadopoulos's foreknowledge of the Russian dissemination of the stolen emails raises questions about the extent to which specific individuals within the campaign sought to or did collude, conspire, or coordinate with Russia in the campaign against the 2016 U.S. elections. The Committee has an obligation to determine what precisely the Russians relayed to Papadopoulos, how they relayed it, and, most important, with whom on the campaign Papadopoulos shared this information. The Majority failed to do so, and made no effort to interview Papadopoulos after he agreed to cooperate with authorities.

Not long after establishing a communication channel with Papadopoulos, the Kremlin reached out to the highest levels of the Trump campaign. Once again, using standard Russian tradecraft, the Kremlin approached the candidate through an intermediary – a Russian oligarch close to Putin, Aras Agalarov – to facilitate a meeting in Trump Tower with the promise of "dirt" on Hillary Clinton. A Russian attorney would be dispatched from Moscow for the meeting with the President's son, Donald Trump Jr., son-in-law, Jared Kushner, and campaign manager, Paul Manafort, at a critical moment in the campaign, when their time was at an absolute premium. Whether Trump Jr.'s eagerness for the meeting, his acceptance of the offer of Russian government help ("love it"), and disappointment that better "dirt" was not produced at the meeting, was informed by the information George Papadopoulos obtained that the Russians did indeed have "dirt" to offer, or other signals, remains a matter still under investigation by the Minority.

### May 2016 – National Rifle Association (NRA) Connections

Just weeks after an intermediary for the Russian government told Papadopoulos that the Russians had "dirt" on Hillary Clinton in the form of "thousands of emails," a senior Russian official

approached the Trump campaign through the National Rifle Association (NRA) to try and arrange a meeting between candidate Trump and President Putin. The Kremlin-linked individual appears to have used the group to befriend and establish a backchannel to senior Trump campaign associates through their mutual affinity for firearms – a strategy consistent with Russian tradecraft.

Alexander Torshin, the deputy governor of the Central Bank of Russia, with the assistance of his deputy, Maria Butina, have used their affiliation with the NRA to cultivate relationships with Russia-friendly politicians in the United States. In 2015, a delegation from the NRA traveled to Russia at the invitation of Torshin and Butina’s organization, the Right to Bear Arms. An intermediary to the Trump campaign and longtime NRA member, Rick Erickson, was part of that delegation, and reportedly maintains close ties with Torshin and Butina.

On May 10, 2016, Erickson reached out to Rick Dearborn, a longtime senior advisor to Jeff Sessions and a senior campaign official:

*“Switching hats! I’m now writing to you and Sen. Sessions in your roles as Trump foreign policy experts / advisors. [...] Happenstance and the (sometimes) international reach of the NRA placed me in a position a couple of years ago to slowly begin cultivating a back-channel to President Putin’s Kremlin. Russia is quietly but actively seeking a dialogue with the U.S. that isn’t forthcoming under the current administration. And for reasons that we can discuss in person or on the phone, the Kremlin believes that the only possibility of a true re-set in this relationship would be with a new Republican White House.”<sup>44</sup>*

The email goes on to say that Russia planned to use the NRA’s annual convention to make “first contact” with the Trump campaign and that “Putin is deadly serious about building a good relationship with Mr. Trump. He wants to extend an invitation to Mr. Trump to visit him in the Kremlin before the election.”<sup>45</sup>

Dearborn communicated this request on May 17, 2016 to the highest levels of the Trump campaign, including Paul Manafort, Rick Gates, and Jared Kushner. The effort to establish a back-channel between Russia and the Trump campaign included a private meeting between Torshin and “someone of high rank in the Trump Campaign.”<sup>46</sup> The private meeting would take place just prior to then-candidate Trump’s speech to the NRA. As explained in Dearborn’s email, such a meeting would provide Torshin an opportunity “to discuss an offer he claims to be carrying from President Putin to meet with DJT. They would also like DJT to visit Russia for a world summit on the persecution of Christians at which Putin and Trump would meet.”<sup>47</sup>

Despite numerous questions raised by Committee testimony and document production regarding Russia’s potential use of the NRA as part of its larger influence operations, the Majority report focuses exclusively on the attendance of Trump Jr. at the annual convention in Kentucky in May 2016. The Majority’s finding on this topic affirms that Trump Jr. met with a Russian government



official, Alexander Torshin, at the event, but conveniently concludes that “the Committee found no evidence that the two discussed the presidential election.”<sup>48</sup> As with many findings in the report, this relies solely on the voluntary and self-interested testimony of the individual in question, in this case Trump Jr. The Majority refused multiple requests by the Minority to interview witnesses central to this line of inquiry, including Torshin, Butina, Erickson, and others.

The Majority report outlines conversations between Trump campaign personnel and associates in planning the meeting but makes no judgments about the questionable circumstances under which NRA associates wished to help the Trump campaign set up a “back-channel to President Putin’s Kremlin”<sup>49</sup> through Torshin and Butina. It also ignores significant outstanding questions about individuals who sought to set up this backchannel, including why Torshin and Butina were interested in connecting the Trump campaign to Putin, what they sought to get out of that connection, why they enlisted the support of NRA colleagues, and whether others in the campaign were communicating with Russia through the NRA.

According to press reports that emerged after the Majority announced the end of its investigation, the Federal Election Commission has launched a preliminary investigation into whether the NRA accepted illegal contributions from Russians in support of the Trump Campaign.<sup>50</sup> The NRA reportedly spent a record \$21 million to support Trump’s campaign and another \$14 million to attack Hillary Clinton. Despite this open question, the Majority refused to investigate whether Russian-linked intermediaries used the NRA to illegally funnel money to the Trump Campaign, to open lines of communication with or approaches to Trump or his associates, and how those approaches may have informed Russia’s active measures campaign as it unfolded throughout 2016.

#### *Cultivation of the Agalarov-Trump Relationship*

By June 2016, Donald Trump Jr. and other senior Trump campaign officials signaled openness to the type of support Russia had previewed to George Papadopoulos several weeks earlier. In early June, the Russians capitalized on then-candidate Trump’s friendship with Russian oligarch Aras Agalarov, who arranged for a Russian delegation offering “dirt” on Trump’s opponent to meet with Trump Jr. at Trump Tower.

Agalarov had cultivated a friendship with Trump since their joint venture to hold the 2013 Miss Universe pageant in Moscow. The immediate fruit from the Miss Universe pageant for Mr. Trump was the prospect of finally building a Trump Tower in Moscow. While the business opportunity failed to materialize, the Agalarovs continued to nurture and cultivate a personal and professional relationship with the Trumps.

The trust between the Trump family and the Agalarov family appears to have deepened over the years. Evidence obtained by the Committee suggests a particularly close familiarity between Trump Jr and Aras’ son, Emin Agalarov, which appears to have transcended professional

bounds.<sup>51</sup> This documentary evidence contrasts with Trump Jr.'s testimony in which he attempts to minimize the relationship.<sup>52</sup>

Aras and Emin Agalarov expressed strong support for Trump's candidacy throughout the election – starting the day Trump announced his candidacy<sup>53</sup> – and offered to serve as an intermediary with President Putin.

At key campaign milestones, the Agalarovs sent notes wishing good luck, conveying congratulations, and offering gifts to Donald Trump. These communications generally occurred through Rob Goldstone, Emin Agalarov's business partner, who then emailed them to Rhona Graff, candidate Trump's trusted personal assistant. On each occasion, Graff made sure that Mr. Trump saw these communications, and made it clear that doing so was “important.” Mr. Trump replied more than once to these gestures with hand-written notes of his own.<sup>54</sup> For example, on July 24, 2015, Goldstone emailed Graff asking if then-candidate Trump would be tempted to come to Moscow (for Aras Agalarov's 60<sup>th</sup> birthday) for a “meeting with President Putin which Emin would set up.”<sup>55</sup> Later, on the eve of Super Tuesday in late February 2016, Agalarov congratulated then-candidate Trump and offered “his support and that of many of his important Russian friends and colleagues – especially with reference to U.S./Russian relations.”<sup>56</sup>

Soon after election night – at 3:00 am on November 10, 2016 – Emin Agalarov texted Trump Jr.:

*“Don!!! Amazing run and a glorious victory!!!! Congratulations to you and your dad, we are proud and happy for you !!!!! Always at your disposal here in Russia [] Emin and Aras Agalarov@.”*<sup>57</sup>

#### June 9, 2016 – Trump Tower Meeting

The Agalarovs appear to have seized on Trump's potential presidency as a means of pursuing one of Putin's top priorities: lifting U.S. sanctions on Russia imposed by the Magnitsky Act. The June 9, 2016 meeting at Trump Tower proved to be one entrée in this regard.

On June 9, 2016, Trump Jr., Jared Kushner, and Trump campaign chairman Paul Manafort participated in a meeting in Trump Tower in New York, with a Russian government attorney and others to receive “official documents” from the Russian government that was represented to be part of the Russian government's support for Donald Trump.

The initial email offer was sent to Trump Jr. by Rob Goldstone at 10:36 a.m. on June 3:

*“The Crown prosecutor of Russia [Yuri Chaika, Russian Prosecutor General] met with his father Aras [Agalarov] this morning and in their meeting offered to provide the Trump campaign with some official documents and information that would incriminate Hillary and her dealings with Russia and would be very useful to your father. This is obviously*



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*very high level and sensitive information but is part of Russia and its government's support for Mr. Trump—helped along by Aras and Emin [Agalarov].” Goldstone also offered to “send this info to your father via Rhona, but it is ultra sensitive so wanted to send to you first.”<sup>58</sup>*

As explained to Trump Jr., the clear purpose of this meeting was to provide information from the Russian government that was damaging to then-candidate Trump’s opponent, explicitly as part of the Russian “government’s support for Mr. Trump.” Trump Jr. acknowledged as much in his testimony before the Committee:

*MR. SCHIFF: But she [Veselnitskaya] started off the meeting discussing this [donors of Hillary Clinton]. This was the first topic that she raised.*

*MR. TRUMP JR.: That’s my recollection, yes.*

*MR. SCHIFF: Which would indicate that she understood the purpose – ostensible purpose of the meeting as you did, which was to provide derogatory information about Clinton.*

*MR. TRUMP JR.: To my understanding, yes.<sup>59</sup>*

Less than 20 minutes after receiving Goldstone’s email about the offer of dirt on Clinton from the Russian government, Trump Jr replied, “*if it’s what you say I love it especially later in the summer*” [emphasis added]. Trump Jr was “on the road” and suggested a call with Emin Agalarov directly.<sup>60</sup> Trump Jr’s response to this offer indicates an eagerness to obtain the information.

Three days later, on June 6, 2016, Trump Jr. and Goldstone exchanged a flurry of back and forth messages to arrange for a call between Trump Jr. and Emin Agalarov.

- At 12:40 pm, Goldstone emailed Trump Jr.: “Let me know when you are free to talk with Emin by phone about this Hillary info – you had mentioned early this week so wanted to try to schedule a time and day. Best to you and family.”
- At 3:03 pm, Trump Jr. emailed Goldstone, “Rob could we speak now?”
- Approximately thirty minutes later, Goldstone emailed Trump Jr.: “Let me track him down in Moscow[.] What number [can he] call?”
- One minute later, Trump Jr. replied to Goldstone and provided his cellphone number.
- At 3:43 pm, Goldstone emailed Trump Jr.: “Ok he’s on stage in Moscow but should be off within 20 minutes so I am sure can call.”<sup>61</sup>

Trump Jr.'s phone records show two calls to and from the same Russian number on June 6, 2016.<sup>62</sup> The first call occurred at 4:04 pm on June 6, 2016 – just 21 minutes after Goldstone emailed Trump Jr. to say that Emin Agalarov was “*on stage in Moscow but should be off within 20 minutes so I am sure can call.* [emphasis added]”<sup>63</sup> At 4:38 pm, Trump Jr. emailed Goldstone, “Rob, thanks for the help.”<sup>64</sup>

This documentary evidence indicates that a call likely took place between Trump Jr. and Emin Agalarov. During his interview, Trump Jr. confirmed that the Russian phone number belonged to Agalarov, though he claimed to not recall whether he actually spoke with him. Rather, despite one of the two calls reflecting a two-minute connection, Trump Jr. suggested that Agalarov may have left voice messages.<sup>65</sup>

The phone records also show a “blocked” number at 4:27 pm, between the two calls to and from Emin Agalarov. Trump Jr. claimed he did not know who was associated with the blocked number.<sup>66</sup> While the Committee has not pursued leads to determine who called Trump Jr. at this crucial time from a blocked number, Corey Lewandowski told the Committee that Mr. Trump’s “primary residence has a blocked [phone] line.”<sup>67</sup> Despite the Minority’s repeated efforts to obtain home or cell phone records for then-candidate Trump to determine whether the blocked call was Trump Jr.’s father, the Majority was unwilling to pursue the matter.

The following day, on June 7, 2016, Trump Jr. and Goldstone arranged for the meeting to take place at 3:00 pm on June 9. Within an hour of confirming the meeting, Trump Jr. emailed Goldstone, “will likely be Paul Manafort (campaign boss) my brother in law and me.”<sup>68</sup> The following day, on June 8, 2016, Goldstone asked Trump Jr. if they could shift the meeting back an hour, to 4:00 pm instead of 3:00 pm. Trump Jr. then forwarded the entire email exchange to Jared Kushner and Paul Manafort with the message “meeting got moved to 4 tomorrow at my offices.” Manafort confirmed his attendance within the hour.<sup>69</sup>

Also on June 7, just as Trump Jr. and Goldstone confirmed the Friday meeting, candidate Trump secured the Republican nomination. In public remarks after the final Republican primaries, Trump previewed his intention to give a speech about the Clintons the following week: “I am going to give a major speech on probably Monday of next week and we’re going to be discussing all of the things that have taken place with the Clintons. I think you’re going to find it very informative and very, very interesting.”<sup>70</sup>

Two days later, candidate Trump’s eldest son, son-in-law, and campaign manager would meet with the delegation, led by a Russian attorney with close ties to Russian officials, who had promised damaging information on his opponent. The same day, candidate Trump tweeted about Hillary Clinton’s alleged “missing” emails - only the second time he had done so by this point: “How long did it take your staff of 823 people to think that up—and where are your 33,000 emails that you deleted?”<sup>71</sup>



The delegation to Trump Tower included:

- *Natalia Veselnitskaya*: The Russian government attorney dispatched from Moscow for the meeting is reportedly a close associate of Russia's chief prosecutor, Yuri Chaika. Chaika and Veselnitskaya have campaigned extensively in recent years to overturn the Magnitsky Act, a top Putin foreign policy objective. While many outstanding questions remain as to Veselnitskaya's involvement in the June 9 meeting, the Majority has repeatedly denied requests by the Minority to bring her in for an interview, despite her publicly-acknowledged willingness to speak to U.S. congressional investigators.<sup>72</sup>
- *Rinat Akhmetshin*: A Russian-American and former Soviet intelligence officer, Akhmetshin is a registered lobbyist and has conducted lobbying activities on behalf of Veselnitskaya's organization.
- *Irakly ("Ike") Kaveladze*: Kaveladze is the vice president of Aras Agalarov's company Crocus Group International. Kaveladze has worked for Agalarov for more than 30 years. He attended the meeting as Aras Agalarov's representative.
- *Rob Goldstone*: A publicist who represented Emin Agalarov, Goldstone is a close associate of the Agalarov family, and appears to have acted as Aras Agalarov's intermediary with Donald Trump, via Trump's assistant Rhona Graff and Trump Jr.
- *Anatoli Samochornov*: Samochornov is a Russian-American who worked for many years as an interpreter for a wide range of organizations, including the U.S. State Department. He served as Veselnitskaya's interpreter during the meeting.

By most accounts, the meeting lasted approximately 20 minutes. While accounts of the meeting varied among the attendees with whom the Committee spoke, most acknowledged that the Magnitsky Act was raised.

*MR. SCHIFF: During the course of your meeting in Trump Tower, were the sanctions imposed [by] the Magnitsky Act discussed?*

*MR. TRUMP JR.: I believe they were. Generally speaking, as part of the Magnitsky Act, this sounds reasonably familiar, so –*

*MR. SCHIFF: And what do you recall what was discussed about sanctions?*

*MR. TRUMP JR.: I don't recall much, only that the sanctions, I guess, were what prompted Russia shutting down the adoption program for the U.S.*

*MR. SCHIFF: And did Ms. Veselnitskaya make it clear that the Russians were hoping that if Mr. Trump were successful, he would eliminate those sanctions?*

*MR. TRUMP JR.: I don't know if she said that, but it was apparent that she was lobbying for the removal of sanctions.<sup>73</sup>*

The Committee spoke with two of the three Trump campaign officials who attended the meeting – Jared Kushner and Donald Trump Jr. Both expressed dissatisfaction with the meeting, in apparent disappointment at not having received the derogatory information on Clinton that had been promised. Trump Jr. described the meeting as a “bait-and-switch”.<sup>74</sup>

*MR. SCHIFF: Right. How much of the time was spent discussing that [the Magnitsky Act], and how much of the time was spent discussing dirt on Secretary Clinton?*

*MR. TRUMP JR.: Again, the majority was really split up between – really started off as Russian adoption, which was sort of the, you know, what I perceive to be sort of the feel-good segue to probably lobbying for something as it related to that Act. So, you know, I'd say we spent less than, you know, 5 minutes of the 20 minutes, again, speaking through a translator about the quote/unquote “dirt”, and the rest was a quick segue, bait-and-switch, whatever you want to call it, to speak about Russian adoption and the Magnitsky Act.<sup>75</sup>*

Most attendees acknowledged the meeting was a waste of time. Trump Jr. likely would not have taken the meeting had he not hoped to get dirt on Hillary Clinton:

*MR. SCHIFF: Well, you said it was essentially a bait-and-switch and a waste of time, did you not?*

*MR. TRUMP JR.: I did.<sup>76</sup>*

One member of the delegation recalled Trump Jr. asking whether Veselnitskaya had incriminating information on Hillary Clinton:

*MR. SCHIFF: And do you recall Don Jr. asking whether Veselnitskaya had anything on Hillary Clinton?*

*MR. KAVELADZE: Yes.<sup>77</sup>*

Trump Jr. also indicated that he likely would not have invited Manafort and Kushner had he known what the Russian lawyer had actually planned to discuss:

*MR. SCHIFF: But it's fair to say you were hoping for something more useful than what you got?*



*MR. TRUMP JR.: That's fair.*

*MR. SCHIFF: And is it fair to say you wouldn't have invited the campaign chairman to the meeting if all you knew you were going to get was what they provided in terms of derogatory information?*

*MR. TRUMP JR.: In hindsight, that's probably accurate, but I don't know.*

*MR. SCHIFF: And in hindsight, you wouldn't have invited Mr. Kushner if you weren't going to get anything more useful than that?*

*MR. TRUMP JR.: I may not have. I don't know.*

*MR. SCHIFF: And it's also fair to say that you were hoping that the derogatory information you were going to get was going to be useful to your campaign?*

*MR. TRUMP JR.: I imagine so.<sup>78</sup>*

Immediately after the meeting, the delegation proceeded to the bar in Trump Tower to discuss the meeting. According to Kaveladze, Veselnitskaya “expressed her dissatisfaction,” though “she said it’s good that he [Trump Jr.] suggested that they might return to the topic again, you know, if – if they win the election.” Kaveladze left the bar after a few minutes to take a call from Agalarov to discuss the meeting.<sup>79</sup>

The very next day, on June 10, 2016, Aras Agalarov delivered to candidate Trump an expensive painting for the candidate’s birthday.<sup>80</sup>

Candidate Trump sent Agalarov a thank you note on June 17, 2016:

*“There are few things better than receiving a sensational gift from someone you admire – and that’s what I’ve received from you. You made my birthday a truly special event by your thoughtfulness – not to mention your remarkable talent. I’m rarely at a loss for words, but right now I can only say how much I appreciate your friendship and to thank you for this fantastic gift. This is one birthday that I will always remember.”<sup>81</sup>*

When news broke five days after this meeting that Russians were behind the hacked DNC emails, Rob Goldstone sent a news article to Emin Agalarov and Ike Kaveladze, “*Top story right now – seems eerily weird based on our Trump meeting last week with the Russian lawyers etc*”.<sup>82</sup>

While the Majority opted not to investigate the underlying facts surrounding the June 9, 2016 meeting, the preliminary record speaks volumes about the Russians’ approach to convey

damaging information on Clinton, as well as the Trump campaign's eagerness to receive that information.

The Majority's report admits that Trump Jr. was "open to discussing derogatory information from Russian government sources that could be useful to candidate Trump."<sup>83</sup> Not only did Trump Jr. believe that the meeting was about such information, but a separate attendee at the meeting testified that he, the attendee, contacted an associate who informed him that the purpose of the meeting would be to provide negative information on Clinton.<sup>84</sup> That third-party associate – Roman Beniaminov, a friend and business associate of Emin Agalarov who had prior knowledge of the Trump Tower meeting and its purpose – was never called to testify before the Committee despite repeated requests by the Minority.

Despite these significant gaps in the record, the Majority attempts to explain away this offer of damaging information on candidate Trump's opponent, and the campaign's enthusiastic desire to receive it, claiming that witnesses questioned about the meeting testified that "there was no mention of derogatory or incriminating information directly relating to Hillary Clinton" during the meeting.<sup>85</sup> Instead, the report notes that witnesses testified that the meeting centered on adoptions and the Magnitsky Act.<sup>86</sup>

This argument ignores two key points: first, that the Trump campaign officials themselves wished to receive a thing of value from a foreign government, namely damaging information on their opponent. Second, that the meeting was also about what the Trump campaign could do for Russia in return – help lift Magnitsky Act sanctions against the country, a top priority for Putin.<sup>87</sup> Since the campaign was likely already on notice, via George Papadopoulos' contact with Russian agents, that Russia in fact had damaging information on Trump's opponent, the June 9 meeting may have been an effort by Russian intelligence to gain insight into the Trump campaign's receptivity to receiving their assistance and how Trump and his associates might respond once Russia began anonymously releasing such information – or "dirt" – on Hillary Clinton.

Significantly, within days of Trump's election, the Russians reached out to the Trump family again, seeking a follow up meeting on the Magnitsky Act. In an email dated November 28, 2016, Goldstone emailed Graff, explaining that "Aras Agalarov has asked me to pass on this document in the hope it can be passed on to the appropriate team." Later that day, Graff forwarded to Steve Bannon the email with Agalarov's document regarding the Magnitsky Act as an attachment, explaining, "The PE [President Elect] knows Aras well. Rob is his rep in the US and sent this on. Not sure how to proceed, if at all. R."<sup>88</sup>

Two weeks later, on December 13, 2016, Emin Agalarov texted Donald Trump Jr. about a business venture:

*"Hi Don! Hope all is well, quick question for you. I've been in discussion with the Trump furniture producers from Turkey to open a store and a distribution Chanel in Moscow. Just wanted to check with you if you are ok with us partnering up with them and*

*launching the project. Wanted to check with you before committing [] thank you, Emin (Moscow)@.*<sup>89</sup>

*Public Disclosure of June 9, 2016 Meeting*

On July 8, 2017, the *New York Times* reported on the fact of the June 9, 2016 meeting at Trump Tower.

The Committee is in receipt of extensive documentary evidence – including text messages, voice messages, and email correspondence – outlining extensive efforts by the Trump campaign meeting participants, at least one Trump organization lawyer, and the Agalarovs, to control the public narrative surrounding the meeting. Despite the extensive documentary record, which the Minority will outline in detail as part of its final report, the Majority has denied requests to interview all of the parties involved in this effort.

In response to press revelations, Trump Jr. posted online an email chain of his communications setting up the meeting, saying, “In order to be totally transparent, I am releasing the entire email chain of my emails with Rob Goldstone about the meeting on June 9, 2016.”

In assessing how to respond, Trump Jr. acknowledged that Hope Hicks presented him with options:

*MR. SCHIFF: And what was Hope Hicks’ suggestion vis-à-vis the emails?*

*MR. TRUMP JR: I believe we had presented multiple statements, a longer-form version and a shorter-form version. And I believe she preferred, in speaking with people, whoever they were, to go with a shorter form version of the statements that we had started preparing with counsel.*<sup>90</sup>

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*MR. SCHIFF: So if you would, getting back to your text exchange with Hope Hicks, I asked if it concerned the scope of the emails that would be released or the scope of the statement that would be released. I think you said neither.*

*MR. TRUMP JR: It was only about the statement.*

*MR. SCHIFF: In your text communications with Hope Hicks, did you discuss whether to release emails?*

*MR. TRUMP JR: I don’t believe I did.*



*MR. SCHIFF: And in terms of the statement, did you draft a statement yourself and send to her, did she draft one and send to you? What was the nature of the communication?*

*MR. TRUMP: I worked with counsel on the statement, and counsel may have sent to Hope.<sup>91</sup>*

Mr. Trump Jr. acknowledged having had at least one conversation with his father about the public release of his email and his public statements on the issue. However, Trump Jr. asserted attorney-client privilege to avoid testifying about the substance of those communications, despite that neither he nor his father are attorneys. Rather, Trump Jr. claimed a privilege existed by the mere presence of attorneys. These conversations pertain to important matters under investigation. As the Minority made clear following Trump Jr.'s interview, this assertion of privilege, invoked based on Trump and Trump Jr. having attorneys present for at least one phone call, is meritless and merely an effort to shield non-privileged direct communications between father and son on matters unrelated to seeking, obtaining, or providing legal assistance from counsel.

#### *Weaponization of Hacked Information*

It was only days after the Trump Tower meeting that WikiLeaks and Julian Assange would first announce receipt of stolen DNC and Clinton-related emails.

On June 14, 2016, the *Washington Post* reported that Russian government hackers penetrated the computer network of the Democratic National Committee.<sup>92</sup> CrowdStrike, a cybersecurity firm hired by the DNC to address the breach, identified through digital footprints two Russia-linked hacker groups responsible for the hack, Cozy Bear and Fancy Bear.

Hours after *the Post* publicly attributed the hack to Russia-linked groups, the persona Guccifer 2.0 started a WordPress blog disputing CrowdStrike's attribution and claiming exclusive credit for the theft. It was an apparent effort on the part of the Russian Federation to cast public doubt about its involvement. However, the DNC and CrowdStrike were confident in their attribution. Recent reporting indicates that Guccifer 2.0 is not merely a Russian cutout, but appears in fact to be controlled by Russia's military intelligence directorate, the GRU.<sup>93</sup>

This stolen data would then be systematically released through Guccifer 2.0 and the Russian cutouts DC Leaks and WikiLeaks, throughout the summer of 2016.

Just days before the Democratic National Convention would kick off, on July 22, 2016, WikiLeaks released nearly 20,000 emails hacked from the Democratic National Committee (DNC). The release was clearly designed to sow discord within the Democratic Party just as the convention approached.

Candidate Trump's Public Statements

The dissemination of stolen Clinton campaign information tracked closely with public comments from Trump officials, including Trump Jr., Roger Stone, and candidate Trump throughout the summer of 2016. As the Russians anonymously pushed out stolen information through its intermediaries, Trump and his campaign publicly touted the hacked emails on a daily basis, and attempted to cast doubt on Russian attribution.

On Monday, July 25, 2016, the FBI confirmed that it had opened an investigation into the hacking of the DNC computer network, which sources and experts had already attributed to hackers in Russia. That same day, then-candidate Trump tweeted, "The new joke in town is that Russia leaked the disastrous DNC e-mails, which should never have been written (stupid), because Putin likes me."<sup>94</sup>

On July 27, two days after the start of the Democratic National Convention, candidate Trump called on Russia to hack Clinton again, telling a crowd: "Russia if you're listening, I hope you're able to find the 30,000 [Clinton] emails that are missing."<sup>95</sup> Earlier in the day, Trump had tweeted: "Funny how the failing @nytimes is pushing Dems narrative that Russia is working for me because Putin said 'Trump is a genius.' America 1<sup>st</sup>!"<sup>96</sup>

On September 26, 2016, at the first presidential debate of the general election, candidate Trump publicly doubted the attribution: "I don't know if we know it was Russia who broke into the DNC. She's saying Russia, Russia, Russia. Maybe it was. It could also be China, it could be someone sitting on their bed that weighs 400 pounds."<sup>97</sup>

Over the last few months of the campaign, then-candidate Trump tweeted more than 100 times, praising WikiLeaks and casting doubt on claims that Russia was behind the hacked emails and broader misinformation campaign. Such a willingness by a U.S. presidential candidate to accept and encourage assistance from a hostile foreign adversary is unprecedented.

Donald Trump Jr. and WikiLeaks

During the course of the campaign, Trump Jr. openly tweeted about WikiLeaks and expressed a clear willingness to obtain any helpful information from the group.

On September 21, 2016, Trump Jr. emailed several senior campaign officials, including Kellyanne Conway, Steve Bannon, Jared Kushner, David Bossie, and Brad Parscale:

*"Guys I got a weird Twitter DM from [W]ikileaks. See below. I tried the password and it works and the about section they reference contains the next pic in terms of who is behind it. Not sure if this is anything but it seems like it's really wikileaks asking me as I follow them and it is a DM. Do you know the people mentioned and what the conspiracy they are looking for could be? These are just screen shots but it's a bully built out page claiming to be a PAC let me know your thoughts and if we want to look into it."*<sup>98</sup>

Trump Jr. claimed he did not respond to this message though he “believe[d] Brad Parscale responded.”<sup>99</sup>

On October 3, 2016, Wikileaks sent Trump Jr. a private direct message, asking that “you guys” comment on or “push” a story Wikileaks’ twitter page had promoted earlier that day. Wikileaks’ tweet, linking to a page on “truepundit.com” said: “Hillary Clinton on Assange ‘Can’t we just drone this guy’”<sup>100</sup> Trump Jr. replied to WikiLeaks, “Already did that earlier today. It’s amazing what she can get away with. What’s behind this Wednesday leak I keep reading about?”<sup>101</sup>

As election day grew near, Trump Jr’s interaction with Russian cutouts increased. For example, on October 5, Trump Jr. retweeted Wikileaks: “RT @wikileaks: NEW: Guccifer 2.0 archive of 860Mb of various "Clinton campaign" related documents. Use "7zip" to unpack.”

Two days later, on October 7, Trump Jr. retweeted Wikileaks: “RT @wikileaks: RELEASE: the first 2050 of well over 50000 emails from Clinton Campaign Chairman John Podesta.” Also on October 7, Trump Jr. retweeted the following:

- “RT @wikileaks: Secret paid Clinton speech: "You need to have a public position and a private position on policy" #PodestaEmails <https://t.c...>”
- “RT @CNNPolitics: WikiLeaks posts emails hacked from Clinton campaign chairman John Podesta”
- “RT @wikileaks: RELEASE: Hillary Clinton Goldman Sachs paid speech transcript excerpts 2013 & 2014 #PodestaEmails”
- “RT @FoxNews: .@wikileaks appears to release transcripts of @HillaryClinton’s paid speeches”
- “RT @TwitchyTeam: OCTOBER SURPRISE? WikiLeaks just dropped the first batch of 'well over 50,000' emails allegedly from John Podesta”

### Roger Stone, WikiLeaks, and Guccifer 2.0

Roger Stone, candidate Trump’s longtime associate and surrogate throughout the campaign, suggested during the campaign he was in communications with WikiLeaks and Julian Assange. He also sought to viciously attack Hillary Clinton and wrote at least one article raising the likelihood that the election was rigged.

On August 5, 2016, Stone wrote a column for Breitbart entitled, “Dear Hillary: DNC Hack Solved, So Now Stop Blaming Russia.” In that article, Stone stated, “It doesn’t seem to be the Russians that hacked the DNC, but instead a hacker who goes by the name Guccifer 2.0.”

Later in August, Stone engaged in a series of tweets with or about Guccifer 2.0.



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- On August 13, 2016, Stone replied to a tweet from @WikiLeaks about Twitter suspending @Guccifer\_2, writing “Outrageous ! Clintonistas now nneed [sic] to censor their critics to rig the upcoming election.”
- On August 14, 2016, Stone tweeted: “First #Milo, now Guccifer 2.0 - why are those exposing the truth banned? @RealAlexJones @infowars #FreeMilo.”
- Once @Guccifer\_2’s account had been reinstated, Stone then sent that account a private message: “Delighted you are reinstated. Fuck the State and their MSM lackeys.”
- @Guccifer\_2 responded to Stone’s message with a private response, on August 15: “wow thank u for writing back and thank you for an article about me!!! do u find anything interesting in the docs i posted?”<sup>102</sup>

The following day Stone wrote an op-ed for TheHill.com entitled, “Can the 2016 election be rigged? You bet.”<sup>103</sup> That same day, Stone privately messaged @Guccifer\_2 on Twitter, referencing his Hill column and asking Guccifer to retweet: “PLZ RT,” with a hyperlink to the article. Guccifer\_2 replied with two private messages: “done”; and “i read u’d been hacked.”

On August 17, 2016, Guccifer 2.0 sent Stone a Direct Message, “please let me know if I can help you in any way it would be a great pleasure to me.”

On September 9, 2016, @Guccifer\_2 privately messages Stone with a link to a blog post from “HelloFLA.com” about Democratic voter turnout, particularly among marginal voters who are persuadable, writing:

*hi, what do u think of the info on the turnout model for the democrats entire presidential campaign? Basically how it works is there are people who will vote party line no matter what and there are folks who will actually make a decision. The basic premise of winning an election is turnout your base (marked turnout) and target the marginal folks with persuadable advertising (marked persuadable). They spend millions calculating who is persuadable or what we call a ‘soft democrat’ and who is a ‘hard democrat.’*

Stone replied to Guccifer, via Twitter private message thread, that such efforts were “pretty standard.”

On October 1, Stone Tweeted, “Wednesday @HillaryClinton is done #WikiLeaks.” Two days later, Stone Tweets, “I have total confidence that @Wikileaks and my hero Julian Assange will educate the American people soon #lockherup.” On election night, November 9, 2016, Guccifer 2.0 sent Stone a Direct Message, “Happy? We are now more free to communicate.”<sup>104</sup>

Throughout the campaign, Stone regularly represented that he was either in communication with Assange or communication through an intermediary with Assange. Despite these public proclamations during the election, Stone claimed during his interview that he had never met with or spoken with Assange.

*MR. QUIGLEY: You never met with Julian Assange.*

*MR. STONE: Correct.*

*MR. QUIGLEY: You never communicated directly with him.*

*MR. STONE: Correct.*

*MR. QUIGLEY: You've never spoken to him on the phone.*

*MR. STONE: I never communicated directly with him during the election, correct.*

*MR. QUIGLEY: Did you ever communicate with him outside of that timeframe?*

*MR. STONE: We had some, I think, direct message responses in April of this year.*

*MR. QUIGLEY: You and Julian Assange?*

*MR. STONE: Correct.*

*MR. QUIGLEY: Can you make those available to the committee?*

*MR. STONE: Yes, we can.*

*MR. QUIGLEY: Okay. Had you ever communicated with him before the campaign?*

*MR. STONE: No.*

*MR. QUIGLEY: So, back on this other streak, you've never emailed with him?*

*MR. STONE: Correct*

*MR. QUIGLEY: Have you ever sent or received texts/SMS to and from Mr. Assange?*

*MR. STONE: No.*

*MR. QUIGLEY: Have you ever communicated with Mr. Assange over any other social media platform or encrypted application –*

*MR. STONE: No<sup>105</sup>.*

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Seeking to explain his public statements about communications with Assange, Stone claimed during his testimony that his knowledge had been obtained through an intermediary.

*MR. QUIGLEY: And so, just to reiterate, in an August 12<sup>th</sup>, 2016, interview with Alex Jones on Infowars, you reiterated your contact with Julian Assange, quote, "in communication with Assange," adding, quote, "I am not at liberty to discuss what I have." That was correct too?*

*MR. STONE: That is correct.*

*MR. QUIGLEY: But you were referencing the same thing you pointed to before?*

*MR. STONE: Again, I have sometimes referred to this journalist as a go-between, as an intermediary, as a mutual friend. It was someone I knew had interviewed Assange. And I merely wanted confirmation of what he had tweeted on the 21<sup>st</sup>. And that's what I refer to.*

*MR. QUIGLEY: -- like Twitter, LinkedIn, anything?*

*MR. STONE: No.*

*MR. QUIGLEY: Have any of your employees, associates, or individuals acting on your behest or encouragement been in any type of contact with Julian Assange?*

*MR. STONE: No.*

*MR. QUIGLEY: Have you ever been in direct contact with a member of Wikileaks, whether by phone, email, text, Twitter, encrypted message platforms, other social media platforms, or other means of communication?*

*MR. STONE: I'm not certain, but I don't think so.<sup>106</sup>*

Mr. Stone refused in the interview to disclose his intermediary's name.

*MR. SCHIFF: Mr. Stone, I wanted to ask you, on October 12<sup>th</sup> [2016], you gave an interview to NBC News where you said that: We have a mutual friend who's traveled to London several times, and everything I know is through that channel of communication.*

*MR. STONE: Yes.*

*MR. SCHIFF: Referring to a friend of Assange.*

*MR. STONE: Yes.*



*MR. SCHIFF: And you said something similar in another interview on October – to CBS Miami. Did the intermediary tell you how often he traveled to London to meet with Mr. Assange?*

*MR. STONE: No. I just knew he had been there a couple times.<sup>107</sup>*

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*MR. SCHIFF: So throughout the many months in which you represented you were either in communication with Assange or communication through an intermediary with Assange, you were only referring to a single fact that you had confirmed with the intermediary –*

*MR. STONE: That –*

*MR. SCHIFF: -- was the length and the breadth of what you were referring to?*

*MR. STONE: That is correct, even though it was repeated to me on numerous separate occasions.<sup>108</sup>*

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*MR. SWALWELL: If we were to send you a request asking for any direct messages with respect to the 2016 campaign, particularly around Guccifer 2.0 and Wikileaks, you would be cooperative and turn that over to us?*

*MR. STONE: Well, I attached the exchange with Guccifer as an exhibit, and you're welcome to look at it. Beyond that, we'd have to go review the material. I don't know what's there.<sup>109</sup>*

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*MR. CASTRO: You have now just told us that the intermediary told you in August that the emails would be released in October. Is that prior knowledge?*

*MR. STONE: I guess you could consider it prior knowledge. I would have to go back and look. I think that Assange himself had said October on Twitter. I was seeking a confirmation of what he'd already said.*

*MR. CASTRO: Mr. Stone, you've said multiple times here today that you had no prior knowledge. You've just now admitted that you had prior knowledge that these emails would be released.*

*MR. STONE: I believe that was a – I think that was publicly known, in all honesty.<sup>110</sup>*

Stone also attempted to explain away his tweets about John Podesta's emails by claiming he was referring to a business deal that Stone had expected Assange to publish.<sup>111</sup>

Podesta's personal email account was the subject of a phishing email in or around May 2016. Mr. Podesta, however, was unaware at the time that his emails had been stolen. On August 21, 2016, Stone tweeted: "Trust me, it will soon be Podesta's time in the barrel. #CrookedHillary." WikiLeaks would not begin publishing Clinton campaign chairman John Podesta's emails until October 7, 2016. Stone's tweet prompted Podesta to suspect his account might have been hacked.<sup>112</sup>

The systematic release and weaponization of stolen emails over the course of the 2016 campaign was designed to inflict maximum harm on one candidate – Hillary Clinton – and boost her opponent, Donald Trump. As Mr. Podesta explained:

*MR. SCHIFF: I'm sorry, campaign chair, what do you think the effect of the continual dumping of the emails was on your campaign? And can you quantify it for us in any terms? Let me start with that.*

*MR. PODESTA: Well, look, I think the manner in which it was done, constant release, day by day, from October 7 through the election, was intended to inflict damage on the campaign by keeping the press focused on whatever tidbits of campaign gossip they might find in those emails, and to distract from the ability to be talking about the real issues in the campaign. I think the timing of the first release is relevant. I think the timing of the first release is also relevant. In the wake of – on the same day, the letter from Jey Johnson and Jim Clapper noting that the intelligence Community had included that the Russians were involved in active measures, as it were – not quoting from the letter, but you remember that letter on October 7 – followed by the release of the Access Hollywood tape. And within a half an hour of that release, the emails started to get dumped. So I think that was –"<sup>113</sup>*

### Peter Smith Operation

The Majority concludes in their report that no Trump campaign associates were "involved in the theft or publication of Clinton-campaign related emails," but that Trump associates nevertheless had some "'ill-advised' contacts with WikiLeaks." Lines of inquiry the Majority refused to pursue, or pursued only tepidly, leave this finding open to doubt.

An example involves efforts by Peter W. Smith, a Republican activist with ties to the Trump Campaign. During the 2016 U.S. election cycle, Smith sought to find and authenticate emails which, according to a contact of Smith's from the "Dark Web," had been harvested from Hillary

Clinton's private server. For this project, Smith in September sought the technical assistance of a leading cybersecurity expert, Matthew Tait.

Smith made clear to Tait that he was well acquainted with Flynn and his son. Additionally, on September 7, Smith sent Tait a document describing his overall political efforts, as well as the role Smith proposed for Tait. That document, among other things:

[D]etailed a company Smith and his colleagues had set up as a vehicle to conduct the research: "KLS Research", set up as a Delaware LLC "to avoid campaign reporting," and listing four groups who were involved in one way or another."

The first group, entitled "Trump Campaign (in coordination to the extent permitted as an independent expenditure)" listed a number of senior campaign officials: Steve Bannon, Kellyanne Conway, Sam Clovis, Lt. Gen. Flynn and Lisa Nelson.<sup>114</sup>

For his part, Tait suspected that Smith could have "been contacted by a Russian intelligence front with intent to use Smith as part of their scheme by laundering real or forged documents," and thus explained to Smith that "if someone had contacted him via the 'Dark Web' with Clinton's personal emails, he should take very seriously the possibility that this may have been part of a wider Russian campaign against the United States." Smith, however, "didn't seem to care."<sup>115</sup>

Tait never confirmed the identity of Smith's dark web contact. And Smith died in May, after speaking about his experience.<sup>116</sup> After interviewing Tait and one additional witness, Jonathan Safran (by phone), the Majority refused to pursue further inquiries into Smith's activities.

### Rigged Election Messaging

As the hacking and dissemination of emails unfolded, then-candidate Trump regularly drummed the idea that the election was rigged. In parallel, WikiLeaks had suggested to Donald Trump Jr. that the campaign should challenge the election results should Mr. Trump lose. On October 21, 2016, WikiLeaks sent Donald Trump Jr. a Twitter direct message: "Hi Don, if your father 'loses' we think it is much more interesting if he DOES NOT concede and spends time CHALLENGING the media and other types of rigging that occurred – as he has implied that he might do."

### Majority Report

The Majority report states that communication between WikiLeaks and campaign personnel such as Donald Trump Jr. and Roger Stone, as well as attempts by Cambridge Analytica CEO Alexander Nix to acquire Clinton campaign emails from WikiLeaks founder Julian Assange, were "imprudent in light of WikiLeaks' role in disseminating stolen emails in line with Russian interests."<sup>117</sup> In fact, these surreptitious contacts between WikiLeaks and Trump campaign



associates are further evidence of an active effort to obtain Russian stolen Clinton emails either directly from the Russians or from their intermediaries.

The Majority concludes in their report that “the Committee did not find that multiple Trump associates went beyond mere praise and established lines of communication with WikiLeaks during the campaign.”<sup>118</sup> The Committee, however, did not seek to validate claims by campaign personnel that this was the case, relying instead on witness testimony about their own communications.

For example, the Majority report notes that, “Trump Jr. testified that he did not reply to any of these messages [from WikiLeaks], nor did he have any communications with WikiLeaks before September 20 or after October 3, 2016. He testified that the direct message exchanges discussed above ‘is a complete record of any communications [he] had with WikiLeaks.’”<sup>119</sup> The Committee has no way of determining the veracity of this statement because the Majority refused numerous requests by the Minority to subpoena Twitter to determine whether the communications publicly revealed and later provided to the Committee by Trump Jr. comprised the full record of communication between WikiLeaks and the witness.

Similarly, Committee Republicans refused to subpoena the company for records related to communication between WikiLeaks, its founder Julian Assange, or Russian cutouts responsible for disseminating hacked emails—such as Guccifer 2.0 and DC Leaks—and Trump campaign personnel, including Roger Stone and Cambridge Analytica. As such, any conclusions reached about witness interaction between the Trump campaign and WikiLeaks or other Russian cutouts is based on an incomplete investigative record. The Majority also has refused to require a reappearance of several witnesses, such as Stone, despite public reporting inconsistent with their testimony, including reports indicating that Stone may have been in direct contact with Assange during the 2016 campaign.<sup>120</sup>

Significant questions still remain, including: whether the Trump campaign received advanced knowledge of or access to the anonymously leaked, stolen information; whether the stolen emails informed campaign activity, including voter persuasion and targeting through its online operation—including through its sub-contractor Cambridge Analytica; and whether anyone directly or indirectly affiliated with the Trump campaign was in the chain of custody of the hacked and disseminated emails beyond sharing what was made publicly available in 2016.

#### July 2016 – Carter Page Travel to Moscow

As the summer progressed, the Russians reached out to an additional Trump campaign official, Carter Page. Like Papadopoulos, Page was one of the initial group of five publicly-announced foreign policy advisors to the Trump campaign. He was invited to travel to Moscow to give a speech at a prominent university, notwithstanding his lack of stature or requisite expertise. In Moscow, Page met with high-level Russian government and Putin-aligned business associates.<sup>121</sup>

As with Papadopoulos, Russia's interest in Page had little to do with his experience in the energy sector and everything to do with his affiliation with the Trump campaign.

Page is the type of susceptible and ambitious individual with impressionable views broadly aligned with the Russian government's worldview who would be a prime target of the Russian intelligence services. He resided in Moscow from 2004 to 2007, where he pursued a variety of business deals, including with Russia's state-owned energy company Gazprom. The Russians had actually tried to recruit Page in the past. In 2013, prosecutors indicted three Russian spies, two of whom targeted Page for recruitment. Indeed, the FBI had interviewed Page multiple times about his Russian intelligence contacts, including in March 2016 – the very month then-candidate Trump announced Page as one of his five initial foreign policy advisors.<sup>122</sup>

Prior to his testimony, Page made numerous and false public statements about his trip, denying that he met with Russian government officials and claiming to have only sought the input of the "man on the street." He also claimed to have visited Moscow in purely a personal capacity. But during his testimony, he was forced to acknowledge having had contact with senior members of the Russian government - including Deputy Prime Minister Arkady Dvorkovich – and reporting back to the campaign using the campaign's reporting mechanism.

On July 8, 2016, he emailed campaign foreign policy advisors Tera Dahl and JD Gordon to preview a readout of his visit:

*"[...] On a related front, I'll send you guys a readout soon regarding some incredible insights and outreach I've received from a few Russian legislators and senior members of the Presidential Administration here. Suffice to say that after watching their national economy and relationships with Europe get derailed by Washington mismanagement with disastrous consequences over recent years, Russians from the highest levels of government to the average man on the street have a new optimism and hope for the future based on Mr. Trump's common sense statements about his foreign policy approaches over the past year."*<sup>123</sup>

In the follow-up readout, also sent on July 8, 2016, Page wrote:

*"On Thursday and Friday (July 7 & 8, 2016), campaign advisor Carter Page presented before gatherings at the New Economic School (NES) in Moscow including their 2016 Commencement Ceremony. Russian Deputy Prime Minister and NES Board Member Arkady Dvorkovich also spoke before the event. In a private conversation, Dvorkovich expressed strong support for Mr. Trump and a desire to work together toward devising better solutions in response to the vast range of current international problems. Based on feedback from a diverse array of other sources close to the Russian Presidential Administration, it was readily apparent that this sentiment is widely held at all levels of the government."*<sup>124</sup>

Page also testified that, in advance of this trip, he alerted several members of the campaign to ensure he obtained the appropriate approvals. In one email, Page suggested the then-candidate Trump travel to Moscow to give the speech.

Trump officials have sought to minimize Page's role in the campaign, calling him "low level," one of the "hangers-on," and someone with little influence. Yet, in his testimony to this Committee and in documents produced to the Committee, we have learned that Mr. Page had regular communications with senior campaign officials and met with high-ranking foreign officials.

The Majority admits in its report that Carter Page's testimony and document production, as cited in his publicly-released transcript, show that Page informed Trump campaign officials several times before traveling to Moscow to speak at the university; that he was given permission by campaign chairman Corey Lewandowski to take the trip; and that he provided to senior campaign personnel an official read-out of his visit while still in Moscow, in which he detailed the senior Presidential Administration, Rosneft, and Gazprom employees with whom he met. The Majority writes off these activities, claiming that Page did not travel on behalf of the Trump campaign.<sup>125</sup> Yet, this blanket dismissal ignores the reality that Page was invited to Moscow precisely because he had been named a foreign policy advisor to candidate Trump.

Furthermore, in September 2016, Mr. Page traveled to Budapest, Hungary, where he again presented himself as a member of then-candidate Trump's foreign policy team. There, he held a 45-minute meeting with Jeno Megyesy, a close adviser to Hungarian Prime Minister Viktor Orban who focuses on relations with the United States. The meeting was held at Megyesy's office in Budapest. Page held a second meeting at a hotel in Budapest with Hungary's then-Ambassador to the United States Reka Szemerkenyi. Page initially met Szemerkenyi at the Republican National Convention in Cleveland. The two reportedly met a third time in October at an embassy function in Washington.

This section of the Majority's report is internally illogical and inconsistent. First, the finding claims that the Majority is "concerned about his seemingly incomplete accounts of his activity in Moscow."<sup>126</sup> But, the Majority then cites the fact that Page has "repeatedly and consistently denied meeting"<sup>127</sup> Russians of interest. It is unclear whether the Majority believes that Page's "consistent" denials or his "inconsistent accounts" are sufficient to answer serious questions about his travel and activities during the campaign. The FBI's FISA application and its renewals to conduct surveillance on Page shed light on these important questions. This material is conveniently omitted from the Majority report.

The Majority repeats spurious claims from its widely-criticized "FISA Abuse memorandum," which alleged FBI and DOJ abuses in seeking authorization to surveil Page. As the Minority's publicly-released memorandum of January 29, 2018 made clear,



“DOJ’s October 21, 2016 FISA application and three subsequent renewals carefully outlined for the Court a multi-pronged rationale for surveilling Page, who at the time of the first application, was no longer with the Trump campaign. DOJ detailed Page’s past relationship with Russian spies and interaction with Russian officials during the 2016 campaign [REDACTED]. DOJ cited multiple sources to support the case for surveilling Page—but made only narrow use of information from Steele’s sources about Page’s specific activities in 2016, chiefly his suspected July 2016 meetings in Moscow with Russian officials.”<sup>128</sup> (See Appendix F.)

The FBI’s January 31, 2018 statement about Chairman Nunes’ memorandum, in which it expressed “grave concerns about material omissions of fact that fundamentally impact the memorandum’s accuracy,”<sup>129</sup> could apply equally to the Majority’s recycled assertions in this report.

The Majority report also notes in this section that it is concerned about whether Russian disinformation found its way into the Steele dossier without providing evidence. Steele was a well-regarded FBI contact whose reporting and source network had been found credible over several years.

Moreover, as the Minority’s January 29, 2018 memorandum points out, in the course of investigating Page’s activities in Moscow in 2016, the DOJ obtained information through “multiple independent sources that corroborated Steele’s reporting,”<sup>130</sup> lending credibility to Steele’s claims about Page’s activity in Moscow in July 2016.

*December 2016/January 2017 – Backchannel Meetings with Russia*

Once election day had passed and Donald Trump was declared the winner, the preponderance of the evidence indicates that the Trump campaign-turned-transition set about to establish additional secret backchannels to the Russians.

On December 1, 2016, Jared Kushner and Michael Flynn held a secret meeting with then-Russian Ambassador Sergey Kislyak at Trump Tower in New York, in which they reportedly discussed using Russian diplomatic facilities in the United States for secure communications between the Trump transition and the Kremlin.<sup>131</sup> The meeting followed numerous contacts between Trump campaign officials and Ambassador Kislyak throughout the election season, which would only come to light after they were revealed in press reporting and following attempts by campaign officials to deny the meetings and approaches. Likewise, the White House affirmed the existence of the December 1, 2016 meeting only in March 2017, following its public revelation. The Committee has yet to fully investigate for what purpose and from whom Flynn and Kushner wished to hide their communications, and what necessitated secret communications through Russian intermediaries and using Russian infrastructure.

Later that month, on December 13, at the request of Ambassador Kislyak, Kushner took another secret meeting at Trump Tower,<sup>132</sup> this time with Sergey Gorkov, the head of Vnesheconombank, or VEB, a state-run financial entity under U.S. sanctions since 2014 and alleged to have ties to Russian intelligence services.<sup>133</sup>

Accounts differ regarding the purpose of the meeting. Then-White House spokeswoman Hope Hicks stated on May 29, 2017 that “Mr. Kushner was acting in his capacity as a transition official,” and the meeting was unrelated to business.<sup>134</sup> In his July 2017 statement to congressional committees, Kushner claimed that, “[Gorkov] told me a little about his bank and made some statements about the Russian economy. He said that he was friendly with President Putin.”<sup>135</sup> During Committee testimony, Kushner noted that he took the meeting in part so that Gorkov could “provide insight into what Putin’s thoughts were on a potential new relationship.”<sup>136</sup>

When the meeting was first revealed publicly in March 2017, however, Gorkov and the bank claimed that it was part of an effort to meet with representatives of “business circles of the U.S., including with the head of Kushner Companies, Jared Kushner.”<sup>137</sup> Whether the meeting was to establish Gorkov as an intermediary for Putin, consider a business deal between soon-to-be White House official Kushner and Gorkov, or—most troubling—a mixture of both, remains unanswered. Public flight logs indicate that VEB’s private jet flew from Moscow to Newark airport on December 13, 2016 – the day of Gorkov’s meeting with Kushner - departing the afternoon of December 14 to Japan, where President Putin was visiting on December 15 and 16. Press reporting indicates Gorkov met Putin there.<sup>138</sup>

In mid-December, shortly after the Kushner-Gorkov meeting, the transition held yet another meeting at Trump Tower, this time with an official delegation from the United Arab Emirates, which the Trump transition and the UAE hid from Obama Administration officials.<sup>139</sup> The meeting, attended by Kushner, Flynn, and Steve Bannon—and, according to March 2018 press reports, UAE advisor George Nader<sup>140</sup>—preceded yet another secret meeting in January 2017 in the Seychelles between Trump associate Erik Prince and a Russian close to Putin, facilitated by the same UAE officials. Committee testimony by two of the attendees at the December Trump Tower meeting—Kushner and Bannon—has shed little light on the purpose of the meeting and why, as with others throughout December, it was originally shielded from discovery.

On January 11, 2017, shortly after the UAE meeting in Trump Tower and only days before Donald Trump’s inauguration as President, Erik Prince, a Trump supporter and brother of Education Secretary Betsy DeVos, traveled to a resort island off the African coast during which he met with senior UAE officials and held a private meeting with a Russian close to Putin: Kirill Dmitriev, the head of Russia’s sovereign wealth fund, the Russian Direct Investment Fund, which, like VEB, is subject to U.S. sanctions.

During his November 30, 2017 testimony before the Committee, Prince noted that he spoke with Bannon about the December transition team-UAE meeting before he traveled to the Seychelles,

but claimed that the December meeting was unrelated to his own trip to see UAE officials and Dmitriev.<sup>141</sup> When asked whether he was testifying that it was a coincidence that Dmitriev was in the same hotel as Prince and meeting with the same UAE officials in the Seychelles on January 11, Prince claimed that the UAE had “good relationships with a lot of other countries, so it’s not a surprise that other leaders, other people from other countries would’ve been waiting to see or having met with any of that leadership.”<sup>142</sup> Prince, however, refused to answer numerous questions about the meeting or its genesis.

The Majority argues perplexingly that these numerous contacts were themselves evidence against a broader campaign conspiracy. According to the Majority’s report, “potential Russian efforts to set up a ‘back channel’ after the election suggest the absence of collusion during the campaign, since the communications associated with collusion would have rendered such a ‘backchannel’ unnecessary.”<sup>143</sup> The logical fallacy so clearly on display in this finding ignores the obvious possibility that the Trump transition may have been seeking (1) to create new lines of communication or expand existing communication channels with the Russians, (2) to deliver on any secret arrangements considered or made during the campaign, and/or (3) hoped to undermine existing and bipartisan U.S. policies towards Russia and its interference in our election.

To support this assertion, the Majority again relies merely on the self-interested testimony of Kushner and Prince. After a brief section explaining the allegations against the two, which references only the December Gorkov meeting and the January Seychelles meeting, the Majority concludes, again without explanation, that the Committee found no evidence that either Kushner or Prince “did anything inappropriate during or following their meetings with [Russian oligarchs Sergey] Gorkov and [Kirill] Dmitriev.”<sup>144</sup>

In reaching this assessment, the report spends one paragraph noting that Kushner attended the meeting with Gorkov at the request of Ambassador Kislyak.<sup>145</sup> The Majority quotes Kushner’s testimony that Gorkov primarily spoke about VEB, offering no suggestions or assessments as to what the significance of that meeting could be, what specifically may have been discussed about VEB’s business, or “Putin’s thoughts...on a potential new relationship.”

The Majority likewise seeks to exonerate Prince. After quoting Prince’s Committee testimony that his meeting with Dmitriev focused on “trade matters” but not sanctions, the Majority concludes with no further information that the Committee “did not find evidence that...Prince did anything inappropriate” during or following the meeting with Dmitriev. The Majority, however, did not seek to validate Prince’s claims about the meeting, did not require that he produce relevant material to the Committee on his travel, nor did it seek to interview anyone else who may have knowledge about the meeting.

March 2018 press reporting indicates that George Nader, a Lebanese-American businessman and advisor to Abu Dhabi’s leadership, was present for Prince’s meetings with the UAE delegation as well as Prince’s subsequent meeting with Dmitriev.<sup>146</sup> In his testimony, Prince did not



acknowledge the presence of others, such as Nader, during his encounters in the Seychelles. Similarly, Kushner did not acknowledge Nader's presence in the Trump Tower meeting with the UAE delegation.

Despite reports, the Majority has refused to interview Nader or anyone else with potential knowledge about the Seychelles meeting to confirm whether Prince's testimony is accurate. The Majority voted down on a party-line basis our request to bring Nader before our Committee and compel Prince's full cooperation.<sup>147</sup> Without corroboration, the Majority cannot credibly reach any definitive conclusion about whether Prince's meeting represented a secret Trump transition backchannel to Russia, nor whether Prince "did anything inappropriate" with respect to his meeting with Dmitriev.

December 2016 – Attempts to Undermine U.S. Sanctions

Once the Obama Administration imposed sanctions and expelled Russian personnel in December 2016, the president-elect's designated White House national security adviser, Michael Flynn — with the knowledge of other high-ranking Trump transition officials—conspired secretly with Russian Ambassador Kislyak to undermine the effect of the sanctions. From Flynn's December 1, 2017 guilty plea, and documents in the Committee's possession, we know that Flynn communicated by phone with Ambassador Kislyak contemporaneously with the imposition of sanctions.

According to Flynn's Statement of the Offense:

*"On or about December 28, 2016, the Russian Ambassador contacted FLYNN. On or about December 29, 2016, FLYNN called a senior official of the Presidential Transition Team (PTT official) who was with other senior members of the Presidential Transition Team at the Mar-a-Lago resort in Palm Beach, Florida, to discuss what, if anything, to communicate to the Russian Ambassador about the U.S. sanctions. On that call, FLYNN and the PTT official discussed the U.S. sanctions, including the potential impact of those sanctions on the incoming administration's foreign policy goals. The PTT official and FLYNN also discussed that the members of the Presidential Transition Team at Mar-a-Lago did not want Russia to escalate the situation. Immediately after his conversation with the PTT official, FLYNN called the Russian Ambassador and requested that Russia not escalate the situation and only respond to the U.S. sanctions in a reciprocal manner. Shortly after his call with the Russian Ambassador, FLYNN spoke with the PTT official to report on the substance of his call with the Russian Ambassador, including their discussion of the U.S. sanctions."*<sup>148</sup>

Despite the clear knowledge of Flynn's discussion with Kislyak by at least one senior transition official and potentially others (including Steve Bannon, who was in Mar-a-Lago with Trump and others on December 29, according to press reports), Trump transition official and former press secretary Sean Spicer claimed publicly on January 13, 2017 that Flynn's discussion with Kislyak

was focused only on the “logistics” surrounding a Trump-Putin phone call.<sup>149</sup> The statement followed press reporting the day before that Flynn had held the calls.<sup>150</sup>

On January 14, according to Vice President-elect Mike Pence, Flynn told him that the call did not include the discussion of sanctions. On January 15, Pence appeared on *Meet the Press*, claiming that Flynn did not discuss sanctions with Ambassador Kislyak during his call. Despite Trump transition officials’ knowledge that what Pence was telling the American people was untrue, no one sought to clarify the public or private record. For that, then-Acting Attorney General Sally Yates would have to travel to the White House on January 26 to inform White House Counsel Donald McGahn that Flynn had lied to FBI investigators about his conversations with Ambassador Kislyak and, it appeared, to Vice President Pence.<sup>151</sup> The next day, McGahn asked to see the underlying evidence regarding Flynn’s conversation, which he relayed to President Trump. That night, Trump would invite FBI Director Comey to a private one-on-one dinner at the White House in which the President asked Comey whether he wished to keep his job and told Comey that he needed and expected loyalty.<sup>152</sup> On December 2, 2017, Trump would himself tweet that he was aware in late-January 2017 that Flynn was under FBI investigation.<sup>153</sup>

Instead of investigating these facts, the Majority seeks to exonerate Flynn. The purpose is evident – to cast doubt about one of the most damning revelations in the Russia investigation to date: that after months of direct and indirect contact with Russian operatives through numerous Trump campaign and transition officials and associates, and only weeks before Trump’s inauguration, Trump’s own National Security Advisor-designate—with the full knowledge or explicit support of at least one other transition official—sought to undermine official U.S. policy meant to punish Russia for its unprecedented attack on the United States. That the attack supported the candidate whose own transition officials were now seeking to help Russia in return is an inescapable fact which the Majority’s report goes to great lengths to ignore.

In its finding on Flynn, the Majority argues that “the FBI agents did not detect any deception” when they interviewed Flynn about these very calls. This conclusion ignores both that Flynn himself admitted in his plea to deceiving FBI agents, and that by the time of his interview with the FBI on January 24, 2017, at least one other official was aware that Vice President-elect Pence had told the same lie on television.

Later, without explanation, the Majority recommends that Congress repeal the Logan Act, a law Flynn likely broke in his communications with Ambassador Kislyak. Not only is this a transparent effort to bolster Flynn by ignoring critical facts regarding his actions and deceit, but it ignored the fact that Flynn was trying to undermine the bipartisan policy of the United States that Russia should be punished for its interference in our election. Is the Majority recommendation to repeal the Logan Act an endorsement of the idea that we should have more than one government at a time, that we should condone lying to the public about secret contacts with an adversary, or that an incoming Administration should seek to undermine the policy of the outgoing Administration without repercussion?

Russian Financial Leverage

One of the starkest examples of the Majority's failure to conduct a complete investigation into the Russian active measures campaign and its ties to the Trump campaign is its decision not to investigate whether the Russian government may hold financial leverage over Donald Trump, his businesses, or his family. Trump's business history with Russia, dating back at least to 1987, is a tale of failed attempts to secure funding and licenses to build a luxury skyscraper in Moscow—three decades of attempts which continued at least through the early part of 2016, just as the presidential campaign was heating up.

As the Soviet Union was on the verge of collapse in the late 1980s, Trump saw an opportunity. He and his first wife, Ivana, traveled to Moscow in 1987 to look at potential building sites for Trump-owned real estate. No deals materialized, and a decade later, in 1996, Trump announced that he would build a \$250 million luxury residential center in Moscow.<sup>154</sup> Yet again, the opportunity dissolved.

Around the same time, Trump began a relationship with Deutsche Bank, the financial institution that U.S. and U.K. regulators hit with fines of approximately \$630 million in January 2017 for a \$10 billion money laundering scheme that enabled Russian clients to move large amounts of funds improperly to overseas accounts.<sup>155</sup> In 1998, as Deutsche Bank was beginning its real estate business, Trump could not secure funding from major financial firms due to previous failed real estate endeavors.<sup>156</sup> Deutsche Bank would prove to be a lender of last resort for Trump for years; Trump's 2016 financial disclosures shows he owed the bank at least \$130 million that year.<sup>157</sup>

As Trump's fortunes improved, thanks to real estate licensing deals and his television show, *The Apprentice*, Trump again sought to find his way into the Russian real estate market. In 2005, he signed an exclusive deal to build Trump Tower Moscow with Bayrock Group—owned and managed by Tefvik Arif and Felix Sater, both of whom have ties to Russia. Sater brought Trump's children, Ivanka and Don Jr., to Moscow in 2006 to scope out potential building sites. Sater testified to the Committee about arrangements he made for Ivanka to sit in President Putin's chair during a tour of the Kremlin and Red Square.<sup>158</sup> Ivanka Trump has said publicly that this "may have" happened.<sup>159</sup> As with Trump's other Russia deals, it never materialized.

A year later, Bayrock Group partnered with the Trump Organization on Trump SoHo, a real estate project subject to numerous lawsuits alleging that the development received questionable funding from Russia and Kazakhstan, and that the Trump Organization defrauded buyers by inflating claims about purchases of the luxury condominiums. Ivanka Trump and Donald Trump Jr. settled, avoiding possible criminal fraud charges.<sup>160</sup>

The following year, in 2008, Don Jr. attended the Moscow real estate summit, where he is quoted as saying: "And in terms of high-end product influx into the U.S., Russians make up a pretty disproportionate cross-section of a lot of our assets; say in Dubai, and certainly with our project



in SoHo and anywhere in New York... We see a lot of money pouring in from Russia.”<sup>161</sup> The comment certainly appeared to be true with respect to Donald Trump, who the same year sold a Palm Beach, Florida property to Russian oligarch Dmitry Rybolovlev for a record \$95 million—reportedly the most expensive home in America at the time at more than double its purchase price from 2004, and at a time when the financial crisis was about to shake the country and the world.<sup>162</sup> Rybolovlev would be one of numerous individuals and entities tied directly or indirectly to Russia who would buy up Trump-branded properties in New York, Florida, and elsewhere.<sup>163</sup>

The full scope of Russia-linked investment in Trump properties, and the use of these transactions to facilitate money laundering schemes, requires additional investigation, since a significant number of Trump property sales and resales over the years have involved shell corporations with opaque ownership structures and origin, many based in foreign jurisdictions with secretive bank laws, that paid in cash.<sup>164</sup>

Despite the influx of cash, and the loans from financial institutions with questionable ties to Russia, the Trump Moscow project seemed to elude Trump. As described above, in 2013, he brought the Miss Universe pageant to Moscow, one of the only times the event was not held in a sunny vacation locale. On November 11, 2013 Trump signed a deal with Aras Agalarov’s Crocus Group to build a Trump Tower in Moscow. As detailed above, Agalarov cultivated a relationship with Trump and, in Moscow, introduced Trump to the head of one of Russia’s largest lenders, Sberbank; Herman Gref was reported to have joined the pageant group’s dinner at Nobu during the event. Despite the meetings and fanfare, the deal, as others, never came together, but the relationship between Agalarov and Trump continued.

Instead, in what is believed to be the most recent attempt to secure funding and licenses for a Trump property in Moscow, the Trump Organization, through Felix Sater in 2015, again initiated negotiations to build Trump Tower Moscow. This time, funding would be sought from VTB Bank, Russia’s second largest bank and a U.S. sanctioned entity.

In an October 12, 2015 email from Sater to Trump Organization attorney Michael Cohen, titled “Andrey L. Kostin – CEO VTB Bank,” Sater said:

*“Kostin who is Putins top finance guy and CEO of 2nd largest bank in Russia is on board and has indicated he would finance Trump Moscow. This is major for us, not only the financing aspect by Kostins position in Russia, extremely powerful and respected. Now all we need is Putin on board and we are golden, meeting with Putin and top deputy is tentatively set for the 14th. See buddy I can not only get Ivanka to spin in Putin’s Kremlin office chair on 30 minutes notice, I can also get a full meeting. I will call you later today to discuss getting the LOI signed.”<sup>165</sup>*

In a November 3, 2015 email from Sater to Cohen acknowledging receipt of the Trump-signed Letter of Intent (LOI) to build Trump Tower Moscow – a copy of which the Committee

possesses – Sater wrote, “Buddy our boy can become President of the USA and we can engineer it. I will get all of Putin’s team to buy in on this.”<sup>166</sup> When the deal slowed in early 2016, Cohen took matters into his own hands, attempting on January 14, 2016 to contact Kremlin spokesman Dmitry Peskov via email to move the project forward. However, like so many others, the deal did not materialize.

The Majority, however, addresses few of Trump’s attempted Moscow business deals, questionable funding sources, and ongoing business relationships with Russian oligarchs close to President Putin. Instead, it offers a perfunctory reference to the 2013 Miss Universe Pageant, claiming simply that the Committee “found no evidence that President Trump’s pre-campaign business dealings formed the basis for collusion during the campaign.”<sup>167</sup>

As with so many of the Majority’s findings, the Majority did not uncover evidence because it refused look for any. The Majority expended little effort in investigating whether Trump’s business deals may have been part of Moscow’s effort to entangle business and political leaders in corrupt activity, and they actively blocked Minority requests to follow this thread. The Majority rejected numerous appeals by the Minority to request or subpoena Trump financial records from Deutsche Bank, interview pertinent witnesses from the financial entity, and seek testimony or production from other individuals and entities with knowledge of Trump’s business projects in Moscow. The question of whether Trump’s financial vulnerability, reliance on lenders of last resort with illicit ties to Russia, or decades-long desire to secure a real estate deal in Moscow led Russia to hold of leverage against him remains an unexplored but critical investigatory question.

The report also does not deal in any serious way with the actions of campaign chairman Paul Manafort and his deputy Rick Gates, who have been the subject of the Special Counsel investigation and have been indicted or pled guilty to money-laundering and conspiracy charges.<sup>168</sup> In its report, the Majority attempted to explain away inconvenient facts related to his ties to Russia-friendly entities. For example, a finding on the Trump campaign chairman argues that, “Special Counsel Robert Mueller indicted Paul Manafort on several charges, none of which relate to allegations of collusion, coordination, or conspiracy between the Trump campaign and the Russian government.”<sup>169</sup>

However, the Special Counsel’s investigation into Manafort is ongoing, and the Committee has no visibility into the status of that investigation, nor what the Special Counsel has found that has not yet been made public. It is possible that new or superseding indictments of Manafort will uncover activities related to the 2016 election.

On February 23, 2018, a federal grand jury in the District of Columbia returned a superseding indictment against Manafort for conspiracy to launder money, among other counts, including related to past work done for Putin-friendly Ukrainian Prime Minister Victor Yanukovich, who is now in exile in Moscow.<sup>170</sup> While those charges, and a separate indictment against Manafort in the Eastern District of Virginia,<sup>171</sup> do not explicitly associate this activity with his role on the

Trump campaign, it remains an open question whether Manafort sought to use his role as Trump campaign chairman to curry favor with prior illicit contacts. Production proffered to the Committee indicates that Manafort indeed sought to use his position on the Trump campaign to inflate his standing with his pro-Russian contacts and possibly obtain additional money or “get whole” for his work on behalf of pro-Russian interests.

For instance, on April 11, 2016, Manafort reached out to Konstantin Kilimnik, a Russian national who previously worked for Manafort in Ukraine. In a December 2017 court filing, the Special Counsel assessed that a long-time Russian colleague and ongoing contact of Manafort’s has “ties to a Russian intelligence service.”<sup>172</sup> Public reports indicate that this person is Kilimnik.<sup>173</sup> Manafort inquires whether Kilimnik has “shown our friends my media coverage.” Kilimnik responds: “Absolutely. Every article.” Manafort then asks Kilimnik: “How do we use to get whole. Has Ovd operation seen?”

“Ovd” (or “OVD”) refers to Oleg Vladimirovich Deripaska, the Russian oligarch to whom Manafort owed a significant amount of money. Kilimnik confirms in a subsequent email that Deripaska was tracking Manafort’s activities: “Yes, I have been sending everything to Victor, who has been forwarding the coverage directly to OVD. Frankly the coverage has been much better than Trump’s. In any case it will hugely enhance your reputation no matter what happens.”<sup>174</sup> Documents produced to the Committee also confirm that Manafort’s deputy, Rick Gates, remained in email contact with Kilimnik through the summer and fall of 2016.<sup>175</sup>

Because the Majority failed to subpoena Manafort to require him to produce the full range of communications with Kilimnik and others, and the Majority refused to engage the Special Counsel about arranging testimony from Manafort, the Committee has an incomplete record about Manafort’s communications prior to, during, and after his tenure on the campaign. As a result, we are unable yet to determine the extent of Manafort’s engagement with his Russian contacts and associates of Deripaska, among others, and whether Manafort used his Russian contacts to help the campaign. The Minority will continue to investigate this line of inquiry.

### *Investigative Next steps*

When the Majority officially closed down their work on the Russia investigation on March 22, 2018, and voted to release their report, they chose to do so outside of the public eye. Although the debate was unclassified, the Majority wished to hide the ignominious end to their efforts behind closed doors. At the meeting, the Minority put forward a series of motions to undertake some of the investigative steps that the Majority refused to authorize throughout the investigation. These measures are necessary to compel important testimony and the production of documents to pursue promising leads, overcome improper assertions of privilege, ensure a complete record about key communications and events, and determine the veracity of statements made by key witnesses. Additionally, the Committee should have engaged the Special Counsel to arrange testimony from George Papadopoulos, Michael Flynn, Rick Gates and, Paul Manafort, George Nader, and potentially others under investigation or who are cooperating with the Special



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Counsel. A transcript of the March 22, 2019 Committee business meeting is incorporated in Chapter VI.

As outlined in the March 13, 2018 status update, among an array of other steps, the Minority believes it necessary to:

- Refer to the House a contempt citation for Steve Bannon, in order to challenge and overcome the White House's direction to Bannon not to testify to matters pertaining to the presidential transition, his tenure at the White House, and his communications with the President since leaving government. A follow-up interview with Bannon would also result in testimony about Bannon's involvement with Cambridge Analytica, his involvement in the company's unauthorized procurement of Facebook data on tens of millions of Americans, and his knowledge of its possible business with Russia-linked entities and persons.
- Issue Committee subpoenas for third-party documents, including, among others, to ensure complete production from the Trump organization, the Trump campaign, and the Trump transition, as well as from Deutsche Bank for financial records related to the Trump Organization and Twitter for direct messages from identified Russian cutouts, such as Guccifer 2.0; proxies, such as WikiLeaks; and persons of interest, Roger Stone, who have sought contact with these Russia-aligned actors.
- Issue Committee subpoenas to the following individuals, many of whom, as explained in the Minority's March 13, 2017 status update (Appendix A), have provided inconsistent or incomplete testimony, or, in the case of Randy Credico, have refused to testify:
  - Former White House Communications Director Hope Hicks, to compel her to testify about her tenure at the White House, as well as specific communications during the presidential transition period – timeframes the White House largely barred her from discussing during her interview (see Chapter VI for Hicks' February 27, 2018 interview transcript);
  - Donald Trump Jr., to compel his testimony regarding communications with his father in July 2017, when he and his father coordinated his public posture in response to press reports about his June 9, 2016 meeting with a Russian delegation, as well as production of records regarding his communications surrounding the June 9, 2016 meeting as well as his foreign travel and engagements during the campaign, including his October 2016 visit to Paris at the paid invitation of a Russia-aligned organization (see Chapter VI for Trump Jr's December 6, 2017 interview transcript);
  - Attorney General Jeff Sessions, to compel his testimony regarding specific communications with the President, after he refused in his interview to answer questions regarding whether President Trump ever instructed him to take any action to hinder the FBI's Russia investigation and whether President Trump ever discussed

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with him the need to investigate and prosecute individuals suspected of sharing information with the press (see Chapter VI for Attorney General Sessions' November 30, 2017 interview transcript);<sup>176</sup>

- Jared Kushner, for another interview and additional document production regarding specific communications and involvement in certain meetings, including a meeting with officials from the United Arab Emirates on December 15, 2016, which press reports indicate George Nader attended – an important development, if accurate, that Kushner omitted in his Committee testimony (see Chapter VI for Kushner's July 25, 2017 interview transcript);
- Erik Prince, to compel testimony and production of documents regarding his January 2017 meetings in the Seychelles, in light of reports since his interview that contradict his testimony about the presence of George Nader at his meeting with UAE officials and possibly during his encounter with Kirill Dmitriev, the head of the Russian Direct Investment Fund (see Chapter VI for Prince's November 30, 2017 interview transcript);
- Cambridge Analytica CEO Alexander Nix, for a follow-up interview and more extensive production of personal and corporate documents in light of press reports exposing Nix and Cambridge Analytica's role in misappropriating Facebook data on more than 50 million users, possible communications with Russian entities, and involvement in the Trump campaign's digital operation (see Chapter VI for Nix' December 14, 2017 interview transcript);
- Corey Lewandowski, to compel his testimony about specific matters he refused to answer during his March 8, 2018 interview, including his conversations with President Trump about the June 9, 2016 Trump Tower meeting, the President's firing of former FBI Director Comey, and efforts by the President to fire Special Counsel Mueller (see Chapter VI for Lewandowski's January 17 and March 8, 2018 transcripts);
- Keith Schiller, to reappear in light of testimony by other witnesses, as well as recent public reporting that is inconsistent with his account of the 2013 Miss Universe event in Moscow, that call into Schiller's responses to the Committee (see Chapter VI for Schiller's November 7, 2017 interview transcript);<sup>177</sup>
- Roger Stone, to testify again and produce documents to address inconsistent testimony in light of recent public reports that Stone bragged in the spring of 2016 that WikiLeaks' Julian Assange gave him advance notice about the email leaks related to John Podesta and the Democratic National Committee (see Chapter VI for Stone's September 26, 2017 interview transcript).

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At the March 22, 2018 business meeting, the Minority also emphasized the need to require Randy Credico to appear in person. Roger Stone identified Credico to the Committee as his intermediary with Assange, but Credico refused to testify and informed the Committee that he intended to invoke the Fifth Amendment after being subpoenaed on December 12, 2017. The Majority opposed a motion during the business meeting to discuss with the Special Counsel whether any prosecutorial equities would prevent the Committee from entertaining a grant of immunity to secure Credico's testimony, which could provide greater insight into Stone's communications with Assange as well as WikiLeaks' activities during the 2016 elections.



#### **IV. THE MAJORITY REPORT'S RECOMMENDATIONS**

Since many of the Majority's findings are incomplete, slanted, or otherwise flawed, the Minority likewise expresses similar concerns about many of the resulting recommendations. One of the goals of the Committee's investigation should be to develop unique recommendations that genuinely advance future policy discussions or to consider unconventional or newfound legislative approaches to protecting our democratic processes moving forward – not merely recycle prior congressional work.

Some recommendations, notably those directed at our European allies, are relevant, but lack in substantive follow-on. If our Committee had interviewed more regional experts about Russian influence operations targeted across the Atlantic, the Minority feels this subset of recommendations could have been strengthened with concrete steps or courses of action instead of thin, superficial recommendations. For instance, the recommendations are narrowly scoped to focus on Russian-linked mass media, but do not speak to other possible actions, such as encouraging European countries to review and shore up anti-money laundering initiatives to combat Russian illicit financing.

Likewise, recommendations pertaining to the U.S. government reaction to Russia's active measures campaign and election interference are similarly superficial. For instance, our Committee held an open hearing with social media companies last year, learning in great detail how Russian operatives exploited these platforms. Yet, *Recommendation #5*, which purportedly addresses social media vulnerabilities, fails to offer any meaningful proposals, only that the companies "should consider implementing methods to counter malign foreign activity." The recommendation overlooks the need to have all technology and social media companies whose tools and platforms were weaponized by Russian-linked actors pool resources, knowledge, and data so that their experts might collaborate on a comprehensive, public accounting of what transpired online during the 2016 election season.

Other recommendations in this report merely cite legislative provisions that have already been introduced in – or indeed have already passed – either the House or the Senate, and again do not demonstrate a rigorous effort to conceive of new approaches to defending our election systems from outside interference. Some of these provisions were included in the House or Senate versions of the Intelligence Authorization Act (IAA) for Fiscal Year 2018, as the Majority itself notes and were previously proposed by the Ranking Member himself; other elements appear captured in H.R. 5011, the "Election Security Act," which was introduced in February 2018 and cosponsored solely by Democrats to date.

The core of the Majority's *Recommendation #15* was previously proposed by Ranking Member Adam Schiff for the conference version of the IAA for Fiscal Year 2018, and while we appreciate the Majority's adoption of this recommendation, it is not a substitute for a comprehensive response. While the Minority supports any and all efforts to bolster the security of our electoral processes, the fact that the Majority has relied on existing public proposals rather

than offering original ones reflects its disproportionate lack of focus on election security issues during our investigation. Had the Committee taken the opportunity to interview more witnesses and experts in this field, it would have been better positioned to inform genuinely new recommendations for the Committee report.

The Minority also takes issue with unfair characterizations leveled against the DNC in *Recommendation #7*. Communication and information sharing from the FBI to the DNC was indeed deficient, and the Minority agrees that cyberattack victim notification processes require enhancements to ensure that as complete a picture as possible about the threat reaches senior leadership of the targeted organization, particularly when that organization is involved in an election campaign. However, the Majority needlessly attacks the DNC for “fail[ing] to handle the intrusions with the level of seriousness it deserved,”<sup>178</sup> ignoring the inherent, and daunting challenge that one of the world’s most sophisticated state-sponsored actors—the Russian intelligence services—poses to any non-government entity. Such victim-blaming is needless and deflects attention away from otherwise sound suggestions about involving the Department of Homeland Security and the timely informing victims of foreign attacks on their systems.

As noted earlier, the inclusion of the repeal of the Logan Act as a report recommendation is baffling, as it is uncertain how this law has any bearing either on a retroactive review of Russian election meddling or on preparations for future foreign covert influence campaigns. However, if the Majority is advocating enshrining a better articulated principle of “one government at a time” in law, then the Minority would be open to such a recommendation. Instead, this recommendation appears to be a veiled attempt to retroactively exonerate Michael Flynn for attempts to undermine U.S. policy in December 2016.

The Minority has strong objections to the report recommendations pertaining to campaign links and Intelligence Community Assessment leaks. In particular, *Recommendation #23*, under the guise of improving the transparency of campaign finance reporting, is nothing more than a continuation of Majority attempts to paint the Clinton presidential campaign as having material connections to Russia. At the same time, the report makes no mention of Cambridge Analytica, the British firm retained by the Trump campaign to support its digital operations – a firm now implicated in a major data breach scandal and mired in questions about compliance with Federal Election Commission regulations.

Meanwhile, neither of the Majority’s recommendations that ostensibly relate to “campaign links to Russia” sufficiently address the many publicly known attempts by Trump campaign officials to engage with Russians during the 2016 election. Improving campaign staffs’ awareness about foreign counterintelligence threats is crucial, but this does not adequately resolve unanswered questions about why so many individuals in the Trump orbit appeared so eager to work with a hostile foreign power in order to harm the Clinton campaign.

Finally, the Minority reaffirms that leaks of classified information constitute real harm to national security, and unauthorized leakers should face criminal prosecution and appropriate

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legal repercussions for doing so. But once again, the Majority bases its recommendations on the unsubstantiated findings, including that “senior officials within the IC” were responsible for leaks surrounding the ICA’s publication, as well as on the faulty proposition that leaks were the result of individuals who were “breaking the law for their own political purposes.”<sup>179</sup> Increasing the legal penalties in statute for leaking or the unauthorized dissemination of classified information is one avenue. But as with other recommendations, the Committee did not undertake a serious review of this fourth prong of the investigation, meaning that these recommendations could have been improved had the investigation been allowed to continue on its trajectory before being prematurely shut down by the Majority.



## **V. ADDITIONAL MATTERS**

Upon public release of the Majority's findings and recommendations, President Trump, Committee Republicans, and others also focused on several other politically-driven allegations in the report. Although these Views do not address all of the flawed assertions and arguments in the report, the following deserved immediate rebuttal.

### ***The Obama Administration's Response***

*Finding # 14* of the Majority report accuses the United States Government of an insufficient response to the Russian attack after the election. Several Obama administration witnesses told the Committee that the President and the small circle of officials who were becoming increasingly aware of Russia's activities agonized through the summer of 2016 as to how to respond to the attacks and whether to make public attribution. Officials detailed their fear of "putting a thumb on the scale" of the election, which could have fueled charges of bias and favoritism, as a key element in the White House's reluctance to more forcefully respond earlier in the election cycle. At this time, candidate Trump was loudly proclaiming that the election was "rigged" against him, further complicating the political environment and making it more challenging for President Obama to act publicly without being perceived as intervening for political purposes, even as he and his aides confronted Russia privately.

In late December 2016, President Obama acted to expel 35 Russian officials in the United States, ordered the closing of two Russian compounds, and imposed a narrow set of sanctions. This response was never intended to be the United States' last word. Instead, as detailed above, Trump transition officials, with direct involvement by National Security Advisor-designate Michael Flynn and possibly at the direction of President Trump, coordinated with Russia to undermine the U.S. government's response.

The Ranking Member has expressed his concern since these events were ongoing, that the Obama Administration should have made earlier attribution of Russia as behind the hacking of our democratic institutions and begun discussions on sanctions while that attack was unfolding. But this does not absolve the current Administration of its lethargic response, let alone its efforts to undermine the sanctions the prior administration did impose.

Since coming to office, Trump has failed to take steps to harden our electoral infrastructure, defied congressional direction to impose sanctions against a range of Russian actors, and so far refrained from directing the executive branch, including the intelligence and law enforcement agencies, to make countering and deterring Russian active measures a top priority. In February 13, 2018 testimony before the Senate Select Committee on Intelligence, FBI Director Wray, along with National Security Agency Director Admiral Mike Rogers, Director of National Intelligence Dan Coats, and CIA Director Mike Pompeo, were unable to point to specific direction from President Trump to "blunt" and "disrupt" Russian meddling in future elections.<sup>180</sup>

In February 27, 2018 testimony before the Senate Armed Services Committee, National Security Agency (NSA) Director Admiral Rogers confirmed more specifically that the President had not directed, through the Secretary of Defense, that NSA and Cyber Command seek to disrupt malicious cyber activity by Russia at the origin of these attacks.<sup>181</sup> Rogers also raised alarm that Russia has not suffered a sufficient cost to deter future action:

*I believe that President Putin has clearly come to the conclusion, 'There's little price to play here [...] and that, therefore, I can continue this activity.' [...] Everything, both as a director of NSA and what I see on the Cyber Command side, leads me to believe that, if we don't change the dynamic here, this is going to continue, and 2016 won't be viewed as something isolated. This is something -- will be sustained over time. So, I think the challenge for all of us is, So what are the tools available to us? And, as the strategy says -- diplomatic, economic, some cyber things -- there are tools available to us. And again, I think, in fairness, you can't say nothing's been done. But, my point would be, it hasn't been enough. [...] Clearly what we've done hasn't been enough.'*<sup>182</sup>

#### ***Former Director of National Intelligence James Clapper's Testimony***

The fifth chapter of the Majority's report is ostensibly concerned with the question of "[w]hat possible leaks of classified information took place related to the Intelligence Community's assessment of these matters."<sup>183</sup>

*Finding #44* claims that former Director of National Intelligence James Clapper "provided inconsistent testimony" to the Committee about his contacts with the media, including CNN. The report also observes that, in January 2017, CNN's Jake Tapper published a story about the Intelligence Community Assessment and Christopher Steele's "dossier"—which in turn, the report argues, was the proximate cause of another media outlet's decision publish the "dossier."<sup>184</sup>

*Finding #44* is written with the intent to smear Clapper, a decorated military and intelligence professional who served under Republican and Democratic Presidents, and promote a public narrative that former Obama Administration officials, such as Clapper, leaked classified or sensitive information to the media.

Despite this dark insinuation, the report neither cites evidence, nor even alleges, that Clapper disclosed information – classified or unclassified – illegally or improperly. Nor does the report acknowledge that, as Director of National Intelligence, Clapper was authorized to engage with media. Instead the Report seizes on alleged "inconsisten[cy]" in Clapper's testimony:

*When initially asked about leaks related to the ICA in July 2017, Clapper flatly denied "discuss[ing] the dossier [compiled by Christopher Steele] or any other intelligence related to Russia hacking of the 2016 election with journalists." Clapper subsequently*

*acknowledged discussing the "dossier with CNN journalist Jake Tapper," and admitted that he might have spoken with other journalists about the same topic. Clapper's discussion with Tapper took place in early January 2017, around the time IC leaders briefed President Obama and President-elect Trump, on "the Christopher Steele information," a two-page summary of which was "enclosed in" the highly-classified version of the ICA.<sup>185</sup>*

Clapper did not "admi[t]" to any criminal or inappropriate conduct regarding media contacts. Clapper explained the following during his interview:<sup>186</sup>

*MR. ROONEY: Did you personally discuss the dossier or any of the other intelligence related to Russian hacking? You already said that you didn't leak it to the journalists, so I assume that's a no, correct?*

*MR. CLAPPER: I'm sorry?*

*MR. ROONEY: Did you discuss the dossier or any other intelligence related to Russia hacking of the 2016 election with journalists?*

*MR. CLAPPER: No.*

*MR. ROONEY: Did you confirm or corroborate the contents of the dossier with CNN journalist Jake Tapper?*

*MR. CLAPPER: Well, by the time of that, they already knew about it. By the time it was -- it was after -- I don't know exactly the sequence there, but it was pretty close to when we briefed it and when it was out all over the place. The media had it by the way. We were kind of behind the power curve, because the media, many media outlets that I understood had that, had the dossier for some time, as did people on the Hill.*

*MR. ROONEY: Do you have any idea how they had it, how they got it?*

*MR. CLAPPER: The media?*

*MR. ROONEY: Yes.*

*MR. CLAPPER: I do not.*

Later during the interview, and consistent with his earlier answer, Clapper acknowledged to Majority staff that he and Tapper may have discussed the dossier once it was in the public domain. The dossier, moreover, is not a classified product, does not contain U.S.-derived intelligence information, and did not inform the Intelligence Community's assessment of Russia's activities:<sup>187</sup>



*Q: [W]as it your testimony earlier that you did, in fact, discuss the so-called dossier with CNN journalist Jake Tapper?*

*MR. CLAPPER: Well, after it was out, yeah.*

*Q: And by out, what do you mean by that?*

*MR. CLAPPER: Well, once it was public. It wasn't -- you know, it wasn't like this is an Intelligence Community document or anything. This was out in the media.*

*Q: And what were the nature of those conversations?*

*MR. CLAPPER: I don't remember specifically.*

*Q: Did you discuss the dossier with any other --*

*MR. CLAPPER: I may -- I probably said much of what I said here, that it was not a part of our report, and the reason was because we could not corroborate the second-, third-order assets that were used, apparently, to put the dossier together.*

*Q: Did you discuss --*

*MR. CLAPPER: Our primary purpose -- I do remember this -- was that we felt obliged to alert then President-elect Trump that it was out there.*

*Q: Did you discuss the dossier with any other journalists besides Mr. Tapper?*

*MR. CLAPPER: I could have. I don't remember specifically talking about the dossier.*

Evaluated in context, Clapper denied leaking classified information, while acknowledging that, as DNI, he engaged in legitimate discussion of unclassified, non-intelligence information with Tapper. There was nothing inappropriate with his doing so, and it is hard to escape the conclusion that the Majority simply wishes to impugn the integrity of a man with a lifetime of service who is now deeply critical of the President.

### ***Abuse of Power and Obstruction of Justice***

In the course of the investigation, the Committee found important evidence on the question of whether President Trump and other Administration officials obstructed justice or otherwise abused the power of office.

The Majority nonetheless sought to limit the Minority's ability to pursue this important line of inquiry by asserting that looking into actions by President Trump and his associates to interfere with congressional and law enforcement investigations into Russia's meddling – to include our own – fell outside the scope of the Committee's investigative parameters. With critical witnesses involved in or with direct knowledge of events under scrutiny, such as the President's role in crafting a misleading statement about the June 9, 2016 meeting or directions he may have provided to senior officials to intervene with the FBI and the Special Counsel, the Majority repeatedly refused to issue or enforce subpoenas to compel testimony or the production of documents that could clarify specific facts about the President's actions and intent.

Although constrained due to the lack of subpoena power, the Minority will continue to gather additional facts on this prong of the investigation. At this stage, however, it is important for the American public to review some of what we know. The portrait that emerges is troubling.

Since President Trump's inauguration, we have witnessed a systematic campaign by the President and his allies to discredit professionally and in the court of public opinion witnesses to possible presidential abuse of power and obstruction of justice. The most prominent – former FBI Director Comey, former FBI Deputy Director Andrew McCabe, former FBI General Counsel James Baker, and Comey's former Chief of Staff James Rybicki – have faced sustained attacks on their credibility and character. Comey and McCabe have been fired. Baker and Rybicki were moved out of their positions, with Rybicki ultimately leaving the Bureau.

This is no accident. And, regrettably, the Committee's Majority contributed to this effort, using the Committee's tools to investigate DOJ and the FBI and undermine public confidence in these institutions and the Special Counsel's ongoing investigation.

Comey memorialized his interactions with the President and ensured that FBI's core leadership was aware of the President's actions in real time. Besides Comey, the fact witnesses with greatest knowledge and visibility on the issue of possible obstruction have faced the brunt of the attacks: McCabe, Baker, and Rybicki. These officials, moreover, were involved to varying degrees in the FBI's Russia counterintelligence investigation, before the Special Counsel took it over. They are uniquely positioned to explain and defend the FBI's investigative decisions.

After his firing by the President, Comey testified publicly to the Senate Select Committee on Intelligence (SSCI) on June 8, 2017 about efforts by President Trump to exert inappropriate pressure on him as FBI Director. President Trump, during a private dinner, told Comey that he expected "loyalty," in what Comey interpreted to be an effort by the President to establish a sort of patronage relationship with him. During another one-on-one meeting, Trump, referencing recently terminated National Security Advisor Michael Flynn, asked Comey to "let this go," which Comey took to be a request for the FBI to drop any investigation or prosecution of Flynn.<sup>188</sup>

Since firing Comey on May 10, 2017 the President has disparaged Comey via Twitter some thirty-six times, mostly by portraying him as a liar or leaker of classified information.<sup>189</sup> In particular, the President suggested that Comey could face unspecified reprisal: “James Comey better hope there are no ‘tapes’ of our conversations before he leaks to the press!”<sup>190</sup> And the President also has denied ever asking “Comey to stop investigating Flynn.”<sup>191</sup>

It has been the same pattern with McCabe—whose December 20, 2017 testimony to the Committee corroborated and strongly amplified Comey’s testimony to the SSCI. Prior to that appearance, the President already had begun to smear McCabe publicly, starting with his July 25 tweet falsely charging that McCabe received “\$700,000 from H[ilary Clinton] for [his] wife!”<sup>192</sup> A day later the President tweeted again, in two parts. “Why didn’t A.G. Sessions replace Acting FBI Director Andrew McCabe, a Comey friend who was in charge of the Clinton e-mail investigation but got...big dollars (\$700,000) for his wife’s political run from Hillary Clinton and her representatives. Drain the Swamp!”<sup>193</sup>

McCabe testified to the Committee that Comey told him about the fact and contents of Comey’s private talks with President Trump. His testimony also established that Rybicki and Baker also heard Comey’s side of phone conversations with the President, in real time, or were debriefed by Comey, along with McCabe, shortly after telephone discussions or in-person meetings took place.<sup>194</sup>

Most importantly, McCabe corroborated, and indeed substantially amplified Comey’s account to the SSCI. Questioning Deputy Director McCabe about these, Ranking Member Schiff referred to, and read from, former Director Comey’s written statement for the record, before the SSCI:<sup>195</sup>

*The “Patronage Relationship” and Request for Loyalty*

*MR. SCHIFF: Now, Director Comey also testified about a January 27<sup>th</sup> meeting. He stated, quote,*

*[T]he President and I had dinner on Friday, January 27 and 6:30 p.m. in the green room at the White House. He called me at lunch time that day, invited me to dinner that night, saying he was going to invite my whole family, but decided to just have me this time, with the whole family coming the next time. It was unclear from the conversation who else would be at the dinner, although I assumed there would be others.*

...

*The Director also testified, he stated that lots of people wanted my job, and given the abuse I had taken during the previous year he would understand if I wanted to walk away. My instincts told me that the one-on-one setting and the pretense that*



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*this was our first discussion about my position meant the dinner, was at least in part, an effort to have me ask for my job and create some sort of patronage relationship. That concerned me greatly given the FBI's traditionally independent status in the executive branch. A few moments later the President said, I need loyalty. I expect loyalty. I didn't move, speak, or change my facial expression in any way during the awkward silence that followed. We simply looked at each other in silence. The conversation then moved on, but he returned to the subject near the end of our dinner.*

*Near the end of our dinner, the President returned to the subject of my job, saying that he was very glad that I wanted to stay, adding that he had heard great things about me from Jim Mattis, Jeff Sessions, and many others. He then said, I need loyalty. I replied you will always get honest loyalty from me. He paused and then said, that's what I meant, honest loyalty. I paused and then said, you will get that from me. As I wrote in the memo I created immediately after the dinner, it is possible he understood the phrase honest loyalty differently, but I decided it wouldn't be productive to push it further.*

*Is that account something he related to you after the dinner?*

*MR. MCCABE: Yes.*

*MR. SCHIFF: And did he also on this occasion call you after this meeting with the President to relay what happened?*

*MR. MCCABE: He did.*

*MR. SCHIFF: And what can you tell us that he related to you during that conversation?*

*MR. MCCABE: Essentially – is that his testimony or the memo that you just read, I'm sorry?*

*MR. SCHIFF: That is his testimony.*

*MR. MCCABE: His testimony. So it tracks the memo very closely, as did our conversation. He was very surprised and concerned by the interaction, specifically about the references to the request for loyalty.*

*MR. SCHIFF: And in his view what did he think the President was asking for?*

*MR. MCCABE: It was my impression from our discussion that he believed that the President was asking him to be loyal to the President.*

*MR. SCHIFF: And was it the Director's impression that what the President had in mind was loyalty when it came to his handling of the Russia investigation?*

*MR. MCCABE: I think that he felt like it was a broad and troubling concept, that the Director of the FBI should be loyal only to the Constitution of the United States.*

...

*MR. SCHIFF: Anything further you can recall of that conversation with the Director on January 27<sup>th</sup>?*

*MR. MCCABE: No. I mean just that we were both really surprised. As I said, he was concerned going into the interaction kind of because he was concerned about, as I said, his – he believed that it was not a good idea for the Director of the FBI to have these kind of one on one meetings with the President. And then lo and behold, they had an exchange that concerned him and me greatly.<sup>196</sup>*

*The Request Regarding Flynn: "I Hope You Can Let This Go."*

In his December 19, 2017 testimony before the Committee, McCabe corroborated key elements of Comey's testimony, including that President Trump asked Comey to "end an investigative matter." In the exchange below, Ranking Member Schiff reviewed with McCabe pertinent sections of Comey's June 8, 2017 SSCI testimony:<sup>197</sup>

*MR. SCHIFF: [...] According to Director Comey, the President told him on February 14th that Flynn hadn't done anything wrong in speaking with the Russians, but that he had to let him go because he had misled the Vice President. [...] Were those facts, though, that the Director related in his testimony, as to what the President said to him, consistent with what he told you after the meeting?*

*MR. MCCABE: Yes.*

*MR. SCHIFF: Director Comey also testified he added that he had other concerns about Flynn which he did not then specify. The President then returned to the topic of Flynn, saying he is a good guy and has been through a lot. He repeated that Flynn hadn't done anything on his calls with the Russians, but had misled the Vice President. He then said, I hope you can see your way clear to letting this go, to letting Flynn go. He is a good guy. I hope you can let this go. Is that also consistent with what the Director told you contemporaneous with the events?*

*MR. MCCABE: Yes, that is consistent. That's what he told me.*

*Quoting Comey's testimony before SSCI again:*

*MR. SCHIFF: "I replied only that he is a good guy. In fact, I had positive experience dealing with Mike Flynn when he was a colleague as Director of the Defense Intelligence Agency at the beginning of my term at FBI. I did not say I would let this go. I immediately prepared an unclassified memo of the conversation about Flynn and discussed the matter with senior – with FBI senior leadership. I take it he is referring to you among others?"*

*MR. MCCABE: Yes.*

*MR. SCHIFF: And who were the others that he would have been referring to there?*

*MR. MCCABE: I am sorry, read me the statement again?*

*MR. SCHIFF: I immediately prepared an unclassified memo of the conversation about Flynn and discussed the matter with the FBI senior leadership.*

*MR. MCCABE: So that would have been myself, Mr. Baker, likely Jim Rybicki, his chief of staff, possibly Bill Priestap, who is the AD [Assistant Director] of counterintelligence, possibly others.*

*MR. SCHIFF: He continues, I had understood the President to be requesting that we drop any investigation of Flynn in connection with false statements about his conversations with the Russian Ambassador in December. I did not understand the President to be talking about the broader investigation into Russia or possible links to his campaign. I could be wrong, but I took him to be focusing on what had just happened with Flynn's departure and the controversy around his account of his phone calls. Regardless, it was very concerning given the FBI's role as an independent investigative agency.*

*What can you tell us about your conversations with Director Comey after his meeting on the same day as to those facts, as to his impression that the President was asking him to drop the matter?*

*MR. MCCABE: His impression, as he communicated it to me, was that the President was asking him to end an investigative matter, which was greatly concerning to the Director and to me. We were shocked.*

*MR. SCHIFF: Did you and the Director discuss at that time whether this might constitute obstruction of justice?*



*MR. MCCABE: I don't remember that specifically. It's possible that we did. I just don't remember that from that time.*

*MR. SCHIFF: Did the President's request that the Director let this go, meaning the Flynn matter, have any impact on the Bureau's handling of the investigation concerning Mike Flynn?*

*MR. MCCABE: Of course not.*

*MR. SCHIFF: On December 2nd, 2017, President Trump tweeted, I had to fire General Flynn because he lied to the Vice President and the FBI. The President in that tweet – and I know the lawyer has taken the credit or blame for that tweet – appears to acknowledge that he knew at the time that Flynn was fired that he had lied to the FBI.*

*Prior to the appointment of the Special Counsel –and you may have answered that in large part already but – was the FBI able to confirm whether the President was aware that Flynn had lied to the FBI?*

*MR. MCCABE: No, sir.*

*MR. SCHIFF: The Director continued, the FBI leadership agreed with me that it was important not to infect the investigative time with the President's request, which we did not intend to abide. We also concluded that given that it was a one-way conversation, there was nothing available to corroborate in that account. We concluded that it made little sense to report it to Attorney General Sessions, who we expected would likely recuse himself from involvement in Russian-related investigations.*

*Why was it expected that at that time that the Attorney General would recuse himself?*

*MR. MCCABE: I think his recusal was already under consideration by the Department of Justice. I assume that that's where that would end up.*

*MR. SCHIFF: Was there any other basis on which the Director believed that the Attorney General might be forced to recuse himself?*

*MR. MCCABE: The recusal issue is – I think we knew of the general facts that had raised the recusal issue. I can't speak specifically to what Director Comey was thinking on that. But we certainly knew that the issue would come to the fore as a result of the Attorney General's interactions with Russians and his involvement in the campaign.*

*MR. SCHIFF: Mr. Chairman, I yield back.*

*Veiled Threats: References to Deputy Director McCabe's Wife and 'That Thing'*

McCabe told the Committee that he and Comey shared concern that the President had mentioned McCabe's wife's political activities and other matters during private discussions between the President and Comey in order to make veiled threats against McCabe and Comey:<sup>198</sup>

*MR. SCHIFF: Did – well, let me continue then. I will ask you about other parts of it.*

*The Director goes on to say:*

*In an abrupt shift, he turned the conversation to FBI Deputy Director Andrew McCabe saying that he hadn't brought up, quote, "the McCabe thing" because I had said McCabe is honorable, though McAuliffe was close to the Clintons and had given him (I think he meant Deputy Director McCabe's wife) campaign money, although I didn't understand why the President was bringing this up. I repeated that Mr. McCabe was an honorable person.*

*When you discussed this, did the director mention this in his conversation with you as well?*

*MR. MCCABE: He did. It was not the first time the President had raised me with the Director.*

*MR. SCHIFF: And did the Director have any understanding of why he thought the President was bringing this up?*

*MR. MCCABE: Understanding is probably not the right characterization. Our concern was that he was bringing it up as some sort of an almost a veiled threat.*

*MR. SCHIFF: That if the Director didn't lift the cloud of the Russian investigation, that he would take action against you?*

*MR. MCCABE: That's correct. That was my concern, and as I understand it, that was Director Comey's concern as well.*

*MR. SCHIFF: Director Comey continued saying:*

*He finished by stressing the cloud that was interfering with his ability to make deals for the country, and said he hoped I could find a way to get out that he wasn't being investigated. I told him I would see what we could do and that we would do our investigative work well and as quickly as we could.*

*Immediately after that conversation I called Acting Deputy Attorney General Dana Boente, AG Sessions had by then recused himself on all Russia-related matters, to*

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*report the substance of the call from the President and said I would await his guidance. I did not hear back from him before the President called me again, 2 weeks later.*

*Is that consistent with what he related to you contemporaneous with the meeting or soon thereafter?*

*MR. MCCABE: Yes, with the phone call. It was a phone call between he and the President; not a meeting.*

*MR. SCHIFF: And did Director Comey tell you what he thought the President meant by "lift the cloud?"*

*MR. MCCABE: Yeah, I mean, I think Director Comey's impression was that the President was still quite frustrated with the fact that we were continuing our investigative efforts into the --- into the campaign and Russia issues.*

*MR. SCHIFF: And did the Director communicate that the President essentially wanted him to absolve him publicly?*

*MR. MCCABE: Yes. The President was interested in the Director making some sort of a public statement that the President was not under investigation.*

McCabe further testified that both he and Comey likewise took a different remark by the President, during an April 11 phone call between the President and Comey, to constitute a separate threat of reprisal directed at Comey:<sup>199</sup>

*MR. SCHIFF: Another conversation took place on April 11, 2017. Director Comey testified:*

*"On the morning of April 11 the President called me and asked what I had done about his request that I get out that he is not personally under investigation. I replied that I'd passed this request to the Acting Deputy Attorney General, but I had not heard back. He replied that the cloud was getting in the way of his ability to do his job. He said that perhaps he would have his people reach out to the Acting Deputy Attorney General. I said that was the way his request should be handled. I said the White House counsel should contact the leadership of DOJ to make the request, which was the traditional channel. He said he would do that and added, quote 'because I have been very loyal to you, very loyal. We had that thing, you know.' I did not reply or ask him what meant by that thing.*



*I said that the way to handle it was to have the White House counsel call the Acting Deputy Attorney General. He said that was what he would do and the call ended. That was the last time I spoke with President Trump.”*

*So did the Director also share this conversation with you?*

*MR. MCCABE: He did.*

*MR. SCHIFF: And what was his, as you can recall from your conversation rather than his testimony, what did he have to say in terms of the President’s comments that “I have been very loyal to you, very loyal. We had that thing, you know.” What did the Director tell you he took from that?*

*MR. MCCABE: He was concerned. He was concerned that the President was still focused on and frustrated by our investigative efforts; the President was really insisting that the Director make some sort of a public statement that, of course, the Director was not comfortable making; and the reference to “that thing,” we weren’t 100 percent sure what that was. But Director Comey was, you know, interpreted it the same way that we had interpreted the prior comments about me and my wife. That it was some sort of – it could be some sort of, a, you know, a veiled threat.*

*MR. SCHIFF: And in this case the veiled threat would be against Director Comey?*

*MR. MCCABE: That’s correct.*

*MR. SCHIFF: Along the lines of, I the President have been very loyal to you. I want you to lift the cloud. Otherwise I might be less loyal to you. Is that the---*

*MR. MCCABE: That’s correct.*

*MR. SCHIFF: That was the impression of Director Comey?*

*MR. MCCABE: It was his and my impression.*

*The Majority’s Attempt to Minimize McCabe’s Testimony*

In response to Ranking Schiff’s exchange with McCabe, Representative Gowdy, on behalf of the Majority, did not directly challenge McCabe’s credibility as a witness, but sought to minimize the significance of his testimony with respect to abuse of power and obstruction. Also citing to Comey’s Senate testimony, Representative Gowdy’s line of questioning suggested that Comey (and thus McCabe) may have misunderstood the President’s intended meaning.

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For example, in one exchange, Representative Gowdy read from Comey's public statement regarding Flynn and possible violations of the Logan Act:<sup>200</sup>

*MR. GOWDY: "The President began by saying Flynn hadn't done anything wrong in speaking with the Russians." Are you aware of any criminal code section that would have been implicated by Flynn talking to the Russian Ambassador during the transition period?*

*MR. MCCABE: Other than the Logan Act, no.*

*MR. GOWDY: I'm laughing only because we spent most of the day discussing two statutes that have never been enforced – so the gross negligence standard, and the classified email, and the Logan Act. Has there been a prosecution under either one of these?*

*MR. MCCABE: Not that I'm aware of.*

*MR. GOWDY: All right. So, absent wanting to make new law, you can't think of a criminal code section other than the Logan Act that could have been implicated by Flynn talking to the Russians in the transition period?*

*MR. MCCABE: I haven't done a legal analysis on any possible criminal code implications of his contact with his conversation with Ambassador Kislyak, but of course, that was not the subject of our investigation[.]*

In another exchange, Representative Gowdy asks McCabe whether the President's statements to Comey amount to obstruction of justice:<sup>201</sup>

*MR. GOWDY: Third paragraph. "The President then returned to the topic of Mike Flynn saying: "He is a good guy and he has been through a lot." Is that obstruction?*

*MR. MCCABE: I'm not going to – you're asking me to give you legal interpretation of that statement kind of in the abstract sense, and I don't think I can do that.*

*MR. GOWDY: Well let me ask you this: How long have you been in law enforcement?*

*MR. MCCABE: Twenty-one years.*

*MR. GOWDY: Have you ever had anyone approach you on behalf of a defendant that is about to be sentenced or someone that you're investigating and putting in a good word for them?*

*MR. MCCABE: I can't think of an instance off the top of my head, but it's certainly possible.*

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*MR. GOWDY: You must have been out of a field office for a while. You must have been at headquarters for a long time because it's not unusual for someone to say, hey, I hope this person doesn't get the book thrown at them. They are not a bad person. It happens at every courtroom across America all day long.*

*MR. MCCABE: It sure does, sir.*

*MR. GOWDY: Well, is there anything eye-catching to you in the President telling the former Director, "He is a good guy and has been through a lot"?*

*MR. MCCABE: I think the fact that they are discussing the ongoing FBI investigation is troubling to me.*

*MR. GOWDY: Troubling because of – troubling in what way? The President is the head of the executive branch, right?*

*MR. MCCABE: Yes, he is.*

*MR. GOWDY: Does the President have pardon powers?*

*MR. MCCABE: He does.*

*MR. GOWDY: Are they plenary?*

*MR. MCCABE: Certainly.*

*MR. GOWDY: Can he pardon someone even before you get a conviction?*

*MR. MCCABE: That's my understanding.*

*MR. GOWDY: So the head of the executive branch who has the full ability to pardon anyone even before a conviction, and you were troubled that he said he's a good guy whose [sic] been through a lot.*

*MR. MCCABE: Yes, troubled because it is not, in my experience, it's not common the President of the United States to weigh in on a specific criminal matter despite the fact that he has pardon power.*

*MR. GOWDY: Were you equally troubled – did you watch the Super Bowl a couple of years ago? Did you some [sic] President Obama's interview with Bill O'Reilly.*

*MR. MCCABE: I don't remember that.*



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*MR. GOWDY: Were you equally troubled when he said there was not an [sic] smidgeon of corruption during the pendency of an IRS investigation?*

*MR. MCCABE: I don't remember that comment, sir.*

*MR. GOWDY: You don't remember it.*

*MR. MCCABE: I don't.*

*MR. GOWDY: It got a lot of play. The President of the United States –*

*MR. MCCABE: Uh-huh.*

*MR. GOWDY: -- In the middle of an ongoing probe, said there's not a smidgeon of corruption. What about when he commented on Secretary Clinton while you all were in the middle of investigating the email server? How did you take that?*

*MR. MCCABE: It was concerning to us.*

*MR. GOWDY: Not concerning enough to put it in a memo. Did you bring it to anybody's attention, take it to the AG's attention?*

*MR. MCCABE: I'm not aware that President Obama expressed that to the Director of the FBI. So I think the situation was a little bit different.*

*MR. GOWDY: How? How is it different to say to the entire country as opposed to saying it to the head of the FBI?*

*MR. MCCABE: Because they think of the circumstances of a private one-on-one meeting with the President of the United States and the Director of the FBI is kind of a unique and rare occurrence. I don't think Director Comey had any such interactions with President Obama. Not that I'm aware of. And certainly, not about that statement. I would have heard that.*

*MR. GOWDY: Did he take his concerns to anyone at the Department of Justice?*

*MR. MCCABE: Ultimately, he talked to the acting Deputy Attorney General.*

*MR. GOWDY: Who was that?*

*MR. MCCABE: Acting, Dana Boente.*

*MR. GOWDY: About this, about feeling the pressure?*

*MR. MCCABE: I mean, I know that he had a conversation with Mr. Boente after the first phone call in March to discuss his discomfort with these – with the conversations that he had been having with the President, and also to let DOJ know to try to stay within the requirements of the contacts policy.*

*MR. GOWDY: “I understood the President to be requesting that we drop any investigation of Flynn in connection with false statements about his conversation with the Russian Ambassador in December. I did not understand the President to be talking about the broader investigation into Russia or possible links to his campaign. I could be wrong, but I took him to be focusing on what just happened with Flynn’s departure and the controversy around his account of his phone calls. Regardless, it was very concerning given the FBI’s role as an independent investigative agency.”*

*I agree. There are [sic] an independent investigative agency. I would invite your attention to not just this portion of the memo that is including his opening statement, but all eight of them because I have read them twice. Have you read them, all eight?*

*MR. MCCABE: Yes.*

*MR. GOWDY: Did you read the section where he said it wasn’t proper for you to be having this conversation with me. It should be done from you to the Department of Justice and then down to me.*

*MR. MCCABE: I remember that.*

*MR. GOWDY: All right. So we are quarrelling about the method by which a message is communicated? He had no problem if the conversation had gone from himself to the Department of Justice, down to the head of the FBI. So was it the conversation that was improper, or was it who he was having it with?*

*MR. MCCABE: I don’t know that you can separate those two things.*

*MR. GOWDY: But he did. Because he laid out the path by which that could be communicated. Agreed?*

*MR. MCCABE: Yeah. That’s the path that’s required by the White House contacts policy. I’m sorry.*

*MR. GOWDY: March 31<sup>st</sup>, page 6. Middle. He described the Russian investigation as quote “a cloud” that was impairing his ability to act on behalf of the country. He said he had nothing to do with Russia, had not been involved with hookers in Russia, and had always assumed that he was being recorded. So then we have this phrase, “cloud,” and*

*then one sentence removed from the salacious allegations of sexual misconduct. You don't think there is any way the cloud could have been a personal familial cloud, and –*

*MR. MCCABE: Well. I'm just reading the document. He said he described the Russia investigation as a cloud. So I assume that's what he's referring to.*

*MR. GOWDY: Yeah, but part of the Russia investigation involved a dossier that had some very salacious allegations in it, didn't it? I mean, I know you have not covered it before. I would invite you to go back and reflect on those eight memos again. I've read them. I'm not defending what the President asked and the manner in which he did it. I don't think it is unreasonable for a husband and a father who is not the target of an ongoing probe to ask: Can you let other people know that? I think there's one memo where he makes specific reference to questions he was getting from his wife and his kids. Do you remember that one?*

*MR. MCCABE: Generally.*

#### Minority Follow-Up Questions

In response to Representative Gowdy's questioning, Ranking Member Schiff returned to Comey's Senate testimony:<sup>202</sup>

*MR. SCHIFF: Just returning to some of the areas that my colleague covered, in the written testimony of the Director's – concerning the February 14<sup>th</sup> Oval Office meeting, he stated: "The President began by saying Flynn hadn't done anything wrong in speaking with the Russians."*

*In Mike Flynn's statement of the offence, he acknowledges informing high- and senior-transition officials of his contacts with the Russian Ambassador. Do you know, or did you find out prior to the appointment of the Special Counsel whether the President was saying that Flynn hadn't done anything wrong in speaking with the Russians because the President was aware from the transition team that Flynn had, in fact, done that, or it was done with his acquiescence. Do you know whether either of those were the case?*

*MR. MCCABE: I don't know that.*

*MR. SCHIFF: The Director testified about his reservations in terms of making a public statement about the President's status. And as I understand it from your testimony, it sounds like there were two concerns. One is that his campaign was under investigation.*



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*MR. MCCABE: That's correct. It would also have put us in the awkward position of then going out and having to change the statement that we had made earlier and it seemed to be – that would be a concerning place for us to be.*

*MR. SCHIFF: Now, my colleague asked you about whether it would violate any laws to be secretly communicating with the Russian Ambassador and the Logan Act was brought up. And I want to ask you about that because there's been a lot of diminishing significance of the Logan Act because it hasn't been utilized before.*

*MR. MCCABE: Uh-huh.*

*MR. SCHIFF: If someone violates a U.S. law, does the FBI generally view it as worthy of investigation regardless of whether that particular statute has been used or used recently?*

*MR. MCCABE: Of course. That's not a factor in our decision to initiate an investigation.*

*MR. SCHIFF: It would be the Justice Department's decision whether to seek to prosecute someone under a statute that hadn't been used before?*

*MR. MCCABE: Of course.*

*MR. SCHIFF: But if you have credible evidence that someone is violating a current U.S. law, it is not something to be ignored?*

*MR. MCCABE: That's right.*

*MR. SCHIFF: And to your understanding, was the Logan Act designed to legislate effectively that you only have one government at a time, and that private parties were not to undermine the existing government, if you know?*

*MR. MCCABE: Yeah, I don't know. I'm not an expert on the Logan Act, so I shouldn't opine.*

*MR. SCHIFF: Would you agree there's a distinction between a friend or a loved one, and a courtroom somewhere in the country vouching for a defendant before sentencing as being a good guy, and the President of the United States in a private meeting with the head of the FBI asking him to let a case go?*

*MR. MCCABE: That seems different to me.*

*MR. SCHIFF: And the fact that the President has the power of pardon doesn't change that, does it?*

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*MR. MCCABE: No, it does not.*

*MR. SCHIFF: The fact that Nixon had the power to pardon the burglars of the Watergate Hotel wouldn't make him any more – wouldn't make it any more appropriate for him to have a conversation with the then FBI Director about letting the burglars go?*

*MR. MCCABE: I don't want to speculate on historical matters, but I can tell you that it's – the fact of the President's pardon power didn't really impact how we perceived the conversation between the President and the Director.*

*MR. SCHIFF: Now, I do agree with my colleague, frankly, my colleague, that I don't think it would be particularly appropriate for the President to be intervening with the Department of Justice or the FBI when it comes to an investigation that involves his own campaign, but there is nonetheless an explicit policy against the President of the United States directly communicating with the head of the FBI over a pending criminal matter. Is there not?*

*MR. MCCABE: Yes, there is.*

*MR. SCHIFF: And by engaging in that conversation about Mike Flynn, the President was violating that policy?*

*MR. MCCABE: That would be my understanding of the policy. That's right.*

*MR. SCHIFF: We have the added fact in this circumstance that the President, after Director Comey testified, essentially said that he was lying about his interactions with the President on the subject of Mike Flynn. Did he not?*

*MR. MCCABE: I'm generally familiar with those comments, yes.*

*MR. SCHIFF: So the President disputes what the Director testified to and what the Director related to you contemporaneous with those meetings?*

*MR. MCCABE: Apparently.*

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This testimony supplies critical context for President's ensuing tirade against McCabe, and public comments about former FBI General Counsel James Baker.

Only three days after McCabe's testimony before the Committee, for which then-FBI General Counsel James Baker was present and during which the Majority indicated that they might also

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call him in as a witness, the President tweeted: “Wow, ‘FBI lawyer James Baker reassigned,’ according to @FoxNews”.<sup>203</sup> Trump turned his sights on McCabe later the same afternoon. “FBI Deputy Director Andrew McCabe is racing the clock to retire with full benefits. 90 days to go?!!!”<sup>204</sup>

This second tweet was followed quickly by a third: “How can FBI Deputy Director Andrew McCabe, the man in charge, along with leakin’ James Comey, of the Phony Hillary Clinton investigation (including her 33,000 illegally deleted emails) be given \$700,000 for wife’s campaign by Clinton Puppets during investigation?”<sup>205</sup> A fourth fusillade, the following day, appeared to paraphrase reporting from Fox News. “@FoxNews ‘FBI’s Andrew McCabe, ‘in addition to his wife getting all of this money from M (Clinton Puppet), he was using, allegedly, his FBI Official Email Account to promote her campaign. You obviously cannot do this. These were the people who were investigating Hillary Clinton.’”<sup>206</sup>

Keeping up campaign to undermine McCabe, the President reveled in McCabe’s March 16, 2018 firing by the Attorney General, calling the termination a “great day for the hard working men and women of the FBI [and for] Democracy.”<sup>207</sup>

The President added: “Sanctimonious James Comey was his boss and made McCabe look like a choirboy. He knew all about the lies and corruption going on at the highest levels of the FBI!”<sup>208</sup>

Responding to press reports that McCabe, like Comey, was so disturbed by the President’s comments to him during his tenure at the FBI that McCabe made detailed memos of their conversations, the President tweeted that he never saw McCabe taking notes during their few meetings. This tweet also speculated that McCabe only wrote his memos later “to help his own agenda. Same with lying James Comey. Can we call them Fake Memos?”<sup>209</sup>



## **VI. TRANSCRIPTS**

Witness interviews are an essential element of any investigation and they have served an important role in our work on the Russia investigation. In their rush to shut down the investigation, however, the Majority scheduled witnesses without regard to timing and sequence, and without obtaining related document productions prior to interviews. Most Majority Members did not attend the interviews, nor were they conducted with the rigor befitting the historic nature of this inquiry. At certain points, moreover, Majority Members inserted themselves into the proceedings as apparent advocates for witnesses close to the President.

During Jared Kushner's July 25, 2017 interview, Representative Trey Gowdy helpfully reminded the witness that "it is between you and your counsel how many questions" he might be willing to answer.<sup>210</sup> A review of the already-released transcripts of Carter Page and Erik Prince also exemplify the overall lack of preparation and disinterest of the Majority during the interviews.

At several points throughout the investigation, the Majority pledged to release the transcripts at its conclusion. Representative Conaway affirmed the Majority's position as recently on March 5, 2018, a week before the Majority announced that it would shut down its investigation.<sup>211</sup>

The Minority publishes them here as a separate chapter of the Minority Views, both in the interest of transparency and so that the American people may judge for themselves whether the Majority's report properly characterizes witness testimony. The public should also see for themselves the full measure of the Majority's handling of this most important national security investigation.

### ***Unclassified Hearings and Interviews***

Transcript 1: Full Committee Open Hearing on Russian Active Measures Investigation with FBI Director James Comey and NSA Director Mike Rogers, March 20, 2017, pp. 1-222.

Transcript 2: Full Committee Open Hearing with former CIA Director John Brennan, May 23, 2017, pp. 1-94.

Transcript 3: HPSCI, Executive Session Interview of Director of National Intelligence Dan Coats, June 22, 2017, pp. 1-32.

Transcript 4: HPSCI, Executive Session Interview of Evelyn Farkas, June 26, 2017, pp. 1-72.

Transcript 5: HPSCI, Executive Session Interview of John Podesta, June 27, 2017, pp. 1-56.

Transcript 6: HPSCI, Executive Session Interview of Michael Caputo, July 14, 2017, pp. 1-110.

Transcript 7: HPSCI, Executive Session Interview of Jared Kushner, July 25, 2017, pp. 1-128.

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Transcript 8: HPSCI, Executive Session Interview of JD Gordon, July 26, 2017, pp. 1-136.

Transcript 9: HPSCI, Executive Session Interview of Andrew Brown, August 30, 2017, pp. 1-57.

Transcript 10: HPSCI, Executive Session Interview of Yared Tamene, August 30, 2017, pp. 1-53.

Transcript 11: HPSCI, Executive Session Interview of Roger Stone, September 26, 2017, pp. 1-121.

Transcript 12: HPSCI, Executive Session Interview of Boris Epshteyn, September 28, 2017, pp. 1-97.

Transcript 13: HPSCI, Executive Session Interview of Matt Tait, October 6, 2017, pp. 1-81.

Transcript 14: HPSCI, Executive Session Interview of Jonathon Safron (via telephone), October 12, 2017, pp. 1-27.

Transcript 15: HPSCI, Executive Session Interview of Peter Fritsch, October 18, 2017, pp. 1-16.

Transcript 16: HPSCI, Executive Session Interview of Thomas Catan, October 18, 2017, pp. 1-13.

Transcript 17: HPSCI, Executive Session Interview of Brad Parscale, October 24, 2017, pp. 1-145.

Transcript 18: HPSCI, Executive Session Interview of Michael Cohen, October 24, 2017, pp. 1-186.

Transcript 19: HPSCI, Executive Session Interview of Carter Page (Redacted for Release), November 2, 2017, pp. 1-243.

Transcript 20: HPSCI, Executive Session Interview of Irakly Kaveladze, November 2, 2017, pp. 1-119.

Transcript 21: HPSCI, Executive Session Interview of Keith Schiller, November 7, 2017, pp. 1-165.

Transcript 22: HPSCI, Executive Session Interview of Glenn Simpson, November 8, 2017, pp. 1-19.

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Transcript 23: HPSCI, Executive Session Interview of Rinat Akhmetshin, November 13, 2017, pp. 1-166.

Transcript 24: HPSCI, Executive Session Interview of Glenn Simpson, November 14, 2017, pp. 1-165.

Transcript 25: HPSCI, Executive Session Interview of Anatoli Samochornov, November 28, 2017, pp. 1-77.

Transcript 26: HPSCI, Executive Session Interview of Erik Prince (Redacted for Release), November 30, 2017, pp. 1-105.

Transcript 27: HPSCI, Executive Session Interview of Jeff Sessions, November 30, 2017, pp. 1-120.

Transcript 28: HPSCI, Executive Session Interview of John Podesta, December 4, 2017, pp. 1-61.

Transcript 29: HPSCI, Executive Session Interview of Diane Denman, December 5, 2017, pp. 1-72.

Transcript 30: HPSCI, Executive Session Interview of Shawn Henry, December 5, 2017, pp. 1-80.

Transcript 31: HPSCI, Executive Session Interview of Donald Trump Jr., December 6, 2017, pp. 1-238.

Transcript 32: HPSCI, Executive Session Interview of Walid Phares, December 8, 2017, pp. 1-114.

Transcript 33: HPSCI, Executive Session Interview of Michael Goldfarb, December 12, 2017, pp. 1-48.

Transcript 34: HPSCI, Executive Session Interview of Sam Clovis, December 12, 2017, pp. 1-147.

Transcript 35: HPSCI, Executive Session Interview of Marc Elias, December 13, 2017, pp. 1-103.

Transcript 36: HPSCI, Interview of Alexander Nix (via video-teleconference), December 14, 2017, pp. 1-98.



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Transcript 37: HPSCI, Executive Session Interview of Debbie Wasserman-Schultz, December 18, 2017, pp. 1-56.

Transcript 38: HPSCI, Executive Session Interview of Michael Sussman, December 18, 2017, pp. 1-93.

Transcript 39: HPSCI, Executive Session Interview of Rob Goldstone, December 18, 2017, pp. 1-175.

Transcript 40: HPSCI, Executive Session Interview of David Kramer, December 19, 2017, pp. 1-101.

Transcript 41: HPSCI, Executive Session Interview of Felix Sater, December 20, 2017, pp. 1-142.

Transcript 42: HPSCI, Executive Session Interview of Dana Rohrabacher, December 21, 2017, pp. 1-186.

Transcript 43: HPSCI, Executive Session Interview of Jake Sullivan, December 21, 2017, pp. 1-71.

Transcript 44: HPSCI, Executive Session Interview of Rhona Graff, December 22, 2017, pp. 1-143.

Transcript 45: HPSCI, Executive Session Interview of David Kramer, January 10, 2018, pp. 1-24.

Transcript 46: HPSCI, Executive Session Interview of Steve Bannon, January 16, 2018, pp. 1-261.

Transcript 47: HPSCI, Executive Session Interview of Rick Dearborn, January 17, 2018, pp. 1-150.

Transcript 48: HPSCI, Executive Session Interview of Corey Lewandowski, January 17, 2018, pp. 1-175.

Transcript 49: HPSCI, Executive Session Interview of Steve Bannon, February 15, 2018, pp. 1-57.

Transcript 50: HPSCI, Executive Session Interview of Hope Hicks, February 27, 2018, pp. 1-208.

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Transcript 51: HPSCI, Executive Session Interview of Corey Lewandowski, March 8, 2018, pp. 1-112.

*Classified Hearings and Interviews*

Transcript 1: Full Committee Closed Hearing on FBI Counterintelligence Investigations with FBI Director James Comey, March 2, 2017, pp. 1-121.

Transcript 2: Full Committee Closed Hearing on Russia Investigation with FBI Director Comey and NSA Director Mike Rogers, May 4, 2017, pp. 1-82.

Transcript 3: Full Committee Closed Hearing with former CIA Director John Brennan, May 23, 2017, pp. 1-53.

Transcript 4: HPSCI, Executive Session Interview of James Clapper, July 17, 2017, pp. 1-106.

Transcript 5: HPSCI, Executive Session Interview of John Carlin, July 27, 2017, pp. 1-72.

Transcript 6: HPSCI, Executive Session Interview of Susan Rice, September 8, 2017, pp. 1-110.

Transcript 7: HPSCI, Executive Session Interview of Samantha Power, October 13, 2017, pp. 1-115.

Transcript 8: HPSCI, Executive Session Interview of Loretta Lynch, October 20, 2017, pp. 1-97.

Transcript 9: HPSCI, Executive Session Interview of Ben Rhodes, October 25, 2017, pp. 1-75.

Transcript 10: HPSCI, Executive Session Interview of Mary McCord, November 1, 2017, pp. 1-81.

Transcript 11: HPSCI, Executive Session Interview of Sally Yates, November 3, 2017, pp. 1-96.

Transcript 12: HPSCI, Executive Session Interview of Andrew McCabe, December 19, 2017, pp. 1-215.

Transcript 13: HPSCI, Executive Session Interview of Special Agent Michael Gaeta, December 20, 2017, pp. 1-113.

Transcript 14: HPSCI, Committee Business Meeting to consider “Adoption of the Committee’s Investigative Report into Russian Active Measures During the 2016 Presidential Election,” March 22, 2018, pp. 1-89.

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## ENDNOTES

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- <sup>1</sup> House Permanent Select Committee on Intelligence (HPSCI), Scope of Investigation, March 1, 2017.
- <sup>2</sup> Press Release, “Intelligence Committee Chairman, Ranking Member Establish Parameters for Russia Investigation,” March 1, 2017. [<https://intelligence.house.gov/news/documentsingle.aspx?DocumentID=767>]
- <sup>3</sup> Press Release, “Intelligence Committee Chairman, Ranking Member Establish Parameters for Russia Investigation,” March 1, 2017. [<https://intelligence.house.gov/news/documentsingle.aspx?DocumentID=767>]
- <sup>4</sup> Statement on Russia Investigation, Chairman Devin Nunes, March 12, 2018. [<https://intelligence.house.gov/news/documentsingle.aspx?DocumentID=873>]
- <sup>5</sup> For instance, see: Kyle Cheney, “Republicans fear they botched Russia report rollout,” *Politico*, March 15, 2018 [<https://www.politico.com/story/2018/03/15/house-intelligence-republicans-russia-probe-465805>]; Nicholas Fandos, “Republican Leading House’s Russia Inquiry Softens a Key Finding,” *New York Times*, March 13, 2018 [<https://www.nytimes.com/2018/03/13/us/politics/house-intelligence-trump-russia-conaway.html>].
- <sup>6</sup> President Donald Trump, Twitter, March 12, 2018: “THE HOUSE INTELLIGENCE COMMITTEE HAS, AFTER A 14 MONTH LONG IN-DEPTH INVESTIGATION, FOUND NO EVIDENCE OF COLLUSION OR COORDINATION BETWEEN THE TRUMP CAMPAIGN AND RUSSIA TO INFLUENCE THE 2016 PRESIDENTIAL ELECTION.” [<https://twitter.com/realdonaldtrump/status/973360355790479361>]
- President Donald Trump, Twitter, March 17, 2018: “As the House Intelligence Committee has concluded, there was no collusion between Russia and the Trump Campaign. As many are now finding out, however, there was tremendous leaking, lying and corruption at the highest levels of the FBI, Justice & State. #DrainTheSwamp” [<https://twitter.com/realdonaldtrump/status/975057131136274432>]
- <sup>7</sup> President Donald Trump, Twitter, March 23, 2018. [<https://twitter.com/realDonaldTrump/status/977124622285066240>]
- <sup>8</sup> Sputnik, “US Has Not Found Evidence of Trump Campaign’s Collusion with Russia,” March 22, 2018 [<https://sputniknews.com/us/201803221062803332-us-house-committee-russi-probe>]; RT, “‘No collusion’: House Intel Committee votes to end Russia probe,” March 22, 2018. [<https://www.rt.com/usa/422050-house-intel-russia-probe>]
- <sup>9</sup> Interview with Chairman Devin Nunes, “Hannity,” Fox News, March 19, 2018. [<http://www.foxnews.com/transcript/2018/03/19/devin-nunes-on-mccabe-firing-upcoming-ig-report.html>]; Interview with Representative Peter King, “Rep. King on widening probe into the Trump dossier,” Fox News, March 12, 2018. [<http://video.foxnews.com/v/5749792245001/?#sp=show-clips>]
- <sup>10</sup> Chairman Devin Nunes, “Nunes Statement on Russia Investigation,” April 6, 2017. [<https://intelligence.house.gov/news/documentsingle.aspx?DocumentID=775>]
- <sup>11</sup> HPSCI Minority, “Status of the Russia Investigation,” March 13, 2017. Attached as Appendix A.
- <sup>12</sup> Channel 4 (United Kingdom), “Data, Democracy, and Dirty Tricks – Part three: The Trump campaign,” March 20, 2018. [<https://www.channel4.com/news/data-democracy-and-dirty-tricks-cambridge-analytica-uncovered-investigation-expose>] Speaking to an undercover reporter, Cambridge Analytica CEO Alexander Nix describes his December 14, 2017 testimony before the Committee, which occurred via video-teleconference:

“Nix: “I went to speak to them and the Republicans asked three questions, five minutes – minutes done. Democrats asked 2 hours of questions.”

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Undercover Reporter: *“And you had to answer everything?”*

Nix: *“No it’s voluntary but I did because I’m trying to help them. We have no secrets. They’re politicians, they’re not technical. They don’t understand how it works. They don’t understand because the candidate never, is never involved. He’s told what to do by the campaign team.”*

<sup>13</sup> HPSCI, Executive Session Interview of Steve Bannon, February 15, 2018, pp. 29-30. Relevant exchange with Representative Eric Swalwell:

*MR. SWALWELL: I’m just asking if a communication existed post your time at the White House with Chairman Nunes.*

*[Discussion off the record.]*

*MR. BANNON: Yes.*

*MR. SWALWELL: Okay. What was the nature of the communication? What was discussed?*

*[Discussion off the record.]*

*MR. BANNON: Yeah, I cannot answer anything about my – related to my time at the White House.*

*MR. SWALWELL: No. I’m asking, post your leaving the White House, any communication you had with non-White House-employee Devin Nunes, what was discussed?*

*MR. BANNON: I can only answer questions not related to my time at the White House.*

*MR. SWALWELL: How many times did you speak with Chairman Nunes once leaving the White House? And I’m talking about in person, over phone, by email, by any text message communication.*

*[Discussion off the record.]*

*MR. BANNON: I don’t know.*

*MR. SWALWELL: More than once?*

*MR. BANNON: Probably.*

*MR. SWALWELL: Okay. Fewer than 10 times?*

*MR. BANNON: I don’t – don’t remember.*

*MR. SWALWELL: Every involve the Russia investigation?*

*[Discussion off the record.]*

*MR. BANNON: That would involve my time at the White House, and I’m not authorized to answer the question.*

<sup>14</sup> HPSCI Minority, “Correcting the Record – The Russia Investigations,” January 29, 2018. Released to the public in unclassified form on February 24, 2018. Attached at Appendix A.

<sup>15</sup> Intelligence Community Assessment: *Background to “Assessing Russian Activities and Intentions in Recent US Elections”*: *The Analytic Process and Cyber Incident Attribution*, January 6, 2017.

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<sup>16</sup> Intelligence Community Assessment, “Assessing Russian Activities and Intentions in Recent US Elections,” January 6, 2017, p. ii. [[https://www.dni.gov/files/documents/ICA\\_2017\\_01.pdf](https://www.dni.gov/files/documents/ICA_2017_01.pdf)].

<sup>17</sup> HPSCI Majority Russia Report, March 21, 2018 version, p. 46-47. Compare with HPSCI Majority Russia Report, March 13, 2018 version, p. 40-41.

<sup>18</sup> Senate Intelligence Committee Chairman and Vice Chairman press conference, October 4, 2017. According to Chairman Richard Burr: “There is consensus among members and staff that we trust the conclusions of the ICA.”

<sup>19</sup> *U.S. v. Internet Research Agency LLC* (1:18-cr-00032-DLF, District of Columbia), p.4.

<sup>20</sup> HPSCI Majority Russia Report, March 21, 2018 version, p. 32.

<sup>21</sup> *U.S. v. Internet Research Agency, et al* (1:18-cr-32, District of Columbia), p. 4. The Special Counsel also finds, for instance, that “From at least April 2016 through November 2016, Defendants and their co-conspirators, while concealing their Russian identities and ORGANIZATION affiliation through false personas, began to produce, purchase, and post advertisements on U.S. social media and other online sites expressly advocating for the election of then-candidate Trump or expressly opposing Clinton. Defendants and their co-conspirators did not report their expenditures to the Federal Election Commission, or register as foreign agents with the U.S. Department of Justice” (p. 19).

<sup>22</sup> Twitter, Inc., “Update on Results of Retrospective Review of Russian-Related Election Activity,” United States Senate Committee on the Judiciary, Subcommittee on Crime and Terrorism, January 19, 2018. [<https://www.judiciary.senate.gov/imo/media/doc/Edgett%20Appendix%20to%20Responses.pdf>]

<sup>23</sup> Twitter, Inc., “Update on Results of Retrospective Review of Russian-Related Election Activity,” United States Senate Committee on the Judiciary, Subcommittee on Crime and Terrorism, January 19, 2018. [<https://www.judiciary.senate.gov/imo/media/doc/Edgett%20Appendix%20to%20Responses.pdf>]

<sup>24</sup> HPSCI Minority Website, “Instagram Exhibit” [<https://democrats-intelligence.house.gov/uploadedfiles/6052269196035.pdf>]; associated metadata [[https://democrats-intelligence.house.gov/uploadedfiles/6052269196035\\_metadata.pdf](https://democrats-intelligence.house.gov/uploadedfiles/6052269196035_metadata.pdf)]

<sup>25</sup> HPSCI Minority Website, Facebook Exhibit [[https://democrats-intelligence.house.gov/uploadedfiles/police\\_anti\\_blm\\_ad\\_metadata.pdf](https://democrats-intelligence.house.gov/uploadedfiles/police_anti_blm_ad_metadata.pdf)]

<sup>26</sup> HPSCI Minority Website, Facebook Exhibit, “United Muslims of America.” [[https://democrats-intelligence.house.gov/uploadedfiles/uma\\_banner\\_\\_6039056709663.pdf](https://democrats-intelligence.house.gov/uploadedfiles/uma_banner__6039056709663.pdf)]

<sup>27</sup> HPSCI Minority Website, Facebook Exhibit, “Save American Muslims.” [[https://democrats-intelligence.house.gov/uploadedfiles/uma\\_paid\\_event\\_ad.pdf](https://democrats-intelligence.house.gov/uploadedfiles/uma_paid_event_ad.pdf)]

<sup>28</sup> Tumblr, “We’re taking steps to protect against future interference in our political conversation by state-sponsored propaganda campaigns,” March 23, 2018. [<https://staff.tumblr.com/post/172170432865/were-taking-steps-to-protect-against-future>]

<sup>29</sup> Tumblr, “Public record of usernames linked to state-sponsored disinformation campaigns,” March 23, 2018. [<https://tumblr.zendesk.com/hc/en-us/articles/360002280214>]

<sup>30</sup> HPSCI Majority Russia Report, March 21, 2018 version, p. 32.

<sup>31</sup> The New York Times, “How Trump Consultants Exploited the Facebook Data of Millions,” March 17, 2018. [<https://www.nytimes.com/2018/03/17/us/politics/cambridge-analytica-trump-campaign.html>]

<sup>32</sup> House Permanent Select Committee on Intelligence, Interview of Alexander Nix, December 14, 2017, p. 59.



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- <sup>33</sup> House Permanent Select Committee on Intelligence, Interview of Alexander Nix, December 14, 2017, p. 67.
- <sup>34</sup> The New York Times, “How Trump Consultants Exploited the Facebook Data of Millions,” March 17, 2018. [<https://www.nytimes.com/2018/03/17/us/politics/cambridge-analytica-trump-campaign.html>]
- <sup>35</sup> *United States v. George Papadopoulos*, Statement of the Offense, p.8.
- <sup>36</sup> *United States v. George Papadopoulos*, Statement of the Offense, p. 9.
- <sup>37</sup> *United States v. George Papadopoulos*, Statement of the Offense, p.9.
- <sup>38</sup> CNN.com, November 10, 2017, full transcript: <https://www.cnn.com/2017/11/09/politics/papadopoulos-meetings-coffee-boy/index.html>
- <sup>39</sup> House Permanent Select Committee on Intelligence, Interview of Walid Phares, December 8, 2017, p.79.
- <sup>40</sup> House Permanent Select Committee on Intelligence, Interview of Walid Phares, December 8, 2017, p.79.
- <sup>41</sup> HPSCI Majority Russia Report, March 21, 2018 version, p. 72.
- <sup>42</sup> HPSCI Majority Russia Report, March 21, 2018 version, p. 72.
- <sup>43</sup> FBI Director James Comey press conference on Clinton investigation, July 5, 2016. See transcript: [https://www.washingtonpost.com/news/post-nation/wp/2016/07/05/fbi-director-comesys-full-remarks-on-clinton-email-probe/?utm\\_term=.20e40587ec5c](https://www.washingtonpost.com/news/post-nation/wp/2016/07/05/fbi-director-comesys-full-remarks-on-clinton-email-probe/?utm_term=.20e40587ec5c)
- <sup>44</sup> HPSCI, Attorney General Jeff Session Document Production. Email from Paul Erickson to Rick Dearborn, May 10, 2016.
- <sup>45</sup> *Id.*
- <sup>46</sup> HPSCI, Rick Dearborn Document Production. [Bates# RD000009 to 16]
- <sup>47</sup> HPSCI, Rick Dearborn Document Production. [Bates# RD000009 to 16]
- <sup>48</sup> HPSCI Majority Russia Report, March 21, 2018 version, p. 83.
- <sup>49</sup> HPSCI, Rick Dearborn Document Production. Email from Paul Erickson to Rick Dearborn, Subject: Kremlin Connection, May 10, 2016 [Bates# RD 000078].
- <sup>50</sup> Josh Meyer, “FEC probes whether NRA got illegal Russian donations,” Politico, March 16, 2018. [<https://www.politico.com/story/2018/03/16/nra-russia-election-donations-fec-investigation-468661>]
- <sup>51</sup> Text Messages from Emin Agalarov to Donald Trump Jr., November 10, 2016, Donald Trump Jr. production, DJTFP00866; Phone Records of Donald Trump Jr., Billing Cycle June 1, 2016 through June 30, 2016, Donald Trump Jr. production, DJTJR00851-855all records, goldstone testimony.
- <sup>52</sup> HPSCI, Executive Session Interview with Donald Trump Jr., December 6, 2017, p. 9.
- <sup>53</sup> HPSCI, Rob Goldstone Document Production. Email from Rob Goldstone to Rhona Graff, “Subject: Please pass on mine and Emin’s best wishes and congratulations to Mr. Trump – wonderful news,” June 16, 2015/
- <sup>54</sup> See, e.g., Email from Katherine Murphy to [redacted], Subject: From the office of Donald J. Trump, March 18, 2016, Donald Trump Jr. production, DJTJR00407 to 409 (“As per Mr. Trump’s request, please see the attached note for Mr. Agalarov.” The attachment is the congratulatory letter that Mr. Agalarov sent to Mr. Trump on the eve of

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Super Tuesday with a handwritten note from Mr. Trump, “*Araz you have done such a great job – you are an amazing man with a great family – keep in touch and say hello to Emin.*”)

<sup>55</sup> HPSCI, Donald Trump Jr. Document Production. Email from Rob Goldstone to Donald Trump Jr., “Subject: Emin, July 24, 2015,” [Bates# DJTJR00893].

<sup>56</sup> HPSCI, Donald Trump Jr. Document Production. “Email from Rob Goldstone to Rhona Graff, Subject: Congratulatory letter to Mr. Trump from Araz Agalarov,” February 29, 2016. [ Bates# DJTJR00442 to 43]

<sup>57</sup> HPSCI, Donald Trump Jr. Document Production. Text Message from Emin Agalarov to Donald Trump Jr., November 10, 2016 [ Bates# DJTFP00866].

<sup>58</sup> HPSCI, Donald Trump Jr. Document Production. Email from Rob Goldstone to Donald Trump Jr., Subject: Russia – Clinton – private and confidential, June 3, 2016 [Bates# DJTJR00487].

<sup>59</sup> House Permanent Select Committee on Intelligence, Interview of Donald Trump Jr., December 6, 2017, pp.58-59.

<sup>60</sup> HPSCI, Donald Trump Jr. Document Production. Email from Donald Trump Jr. to Rob Goldstone, Subject: Russia – Clinton – private and confidential, June 3, 2016 [Bates# DJTJR00487].

<sup>61</sup> HPSCI, Donald Trump Jr. Document Production. Email from Donald Trump Jr. to Rob Goldstone, Subject: Russia – Clinton – private and confidential, June 6, 2016 [Bates # DJTJR00487].

<sup>62</sup> HPSCI, Donald Trump Jr. Document Production. Phone Records of Donald Trump Jr., Billing Cycle June 1, 2016 through June 30, 2016 [Bates #DJTJR00851-855].

<sup>63</sup> HPSCI, Donald Trump Jr. Production, Email from Donald Trump Jr. to Rob Goldstone, Subject: Russia – Clinton – private and confidential, June 6, 2016. [Bates #DJTJR00486]

<sup>64</sup> HPSCI, Donald Trump Jr. Production. Email from Donald Trump Jr. to Rob Goldstone, Subject: Russia – Clinton – private and confidential, June 6, 2016. [Bates #DJTJR00486]

<sup>65</sup> HPSCI, Executive Session Interview with Donald Trump Jr., December 6, 2017, pp.28-29.

<sup>66</sup> HPSCI, Donald Trump Jr. Production. Phone Records of Donald Trump Jr., Billing Cycle June 1, 2016 through June 30, 2016 [Bates # DJTJR00851-855].

<sup>67</sup> HPSCI, Executive Session Interview with Corey Lewandowski, January 17, 2018, pp. 161-162.

<sup>68</sup> HPSCI, Donald Trump Jr. Production. Email from Donald Trump Jr. to Paul Manafort and Jared Kushner, Subject: Russia – Clinton – private and confidential, June 8, 2016, Donald Trump Jr. production [Bates# DJTJR00485].

<sup>69</sup> HPSCI, Donald Trump Jr. Production. Email from Donald Trump Jr. to Rob Goldstone, Subject: Russia – Clinton – private and confidential, June 6, 2016 [Bates# DJTJR00486].

<sup>70</sup> Philip Bump, “What happened and when: The timeline leading up to Donald Trump Jr.’s fateful meeting,” *The Washington Post*, July 11, 2017. [[https://www.washingtonpost.com/news/politics/wp/2017/07/11/what-happened-and-when-the-timeline-leading-up-to-donald-trump-jr-s-fateful-meeting/?utm\\_term=.d27ea5db41ec](https://www.washingtonpost.com/news/politics/wp/2017/07/11/what-happened-and-when-the-timeline-leading-up-to-donald-trump-jr-s-fateful-meeting/?utm_term=.d27ea5db41ec)]

<sup>71</sup> Donald Trump, Twitter, June 9, 2016. [<https://twitter.com/realDonaldTrump/status/741007091947556864>]

<sup>72</sup> In testimony before the Committee, Congressman Rohrabacher acknowledged that he met Veselnitskaya and Akhmetshin on previous occasions, but that in April 2016, he was traveling as part of a Congressional delegation and encountered them by chance at the hotel lobby of the Ritz Carlton in St. Petersburg. He acknowledged that they

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were probably spies and probably knew the Congressman would be there. HPSCI Executive Session Interview with Dana Rohrabacher, December 21, 2017, p.167.

<sup>73</sup> HPSCI, Executive Session Interview with Donald Trump Jr., December 6, 2017, p. 73.

<sup>74</sup> HPSCI, Executive Session Interview with Donald Trump Jr., December 6, 2017, pp. 59-60.

<sup>75</sup> HPSCI, Executive Session Interview with Donald Trump Jr., December 6, 2017, p. 56.

<sup>76</sup> HPSCI, Executive Session Interview with Donald Trump Jr., December 6, 2017, p. 59.

<sup>77</sup> HPSCI, Executive Session Interview with Ike Kaveladze, November 2, 2017, p.95.

<sup>78</sup> HPSCI, Executive Session Interview with Donald Trump Jr., December 6, 2017, p. 59-60.

<sup>79</sup> HPSCI, Executive Session Interview with Ike Kaveladze, November 2, 2017, p.98.

<sup>80</sup> Email from Rob Goldstone to Rhona Graff, Subject: Birthday gift for Mr. Trump, June 10, 2016, Rob Goldstone production, RG0000082.

<sup>81</sup> Email from Meredith McIver to Jessica Macchia, Subject: Emin gift.doc, June 17, 2016, Donald Trump Jr. production, DJTJR00404-05.

<sup>82</sup> Email from Rob Goldstone to Emin Agalarov and Ike Kaveladze, Subject: Breaking News, June 14, 2016, Ike Kaveladze production, HIC-KAV-00001 to 00002

<sup>83</sup> HPSCI Majority Russia Report, March 21, 2018 version, p. 81.

<sup>84</sup> HPSCI, Executive Session Interview with Ike Kaveladze, November 2, 2017, p. 89.

<sup>85</sup> HPSCI Majority Russia Report, March 21, 2018 version, p. 81.

<sup>86</sup> HPSCI Majority Russia Report, March 21, 2018 version, p. 82.

<sup>87</sup> S. 284 – Global Magnitsky Human Rights Accountability Act, 114<sup>th</sup> Congress.  
[<https://www.congress.gov/bill/114th-congress/senate-bill/284/text>]

<sup>88</sup> HPSCI, Donald Trump Jr. Production. Email from Rob Goldstone to Rhona Graff, Subject: For Mr. Trump, November 28, 2016. [Bates# DJTJR00245 to 246].

<sup>89</sup> HPSCI, Donald Trump Jr. Production. Text Messages from Emin Agalarov to Donald Trump Jr., November 10, 2016 [Bates# DJTFP00867].

<sup>90</sup> HPSCI Executive Session Interview of Donald Trump Jr., December 6, 2017, p. 94.

<sup>91</sup> HPSCI Executive Session Interview of Donald Trump Jr., December 6, 2017, p. 97.

<sup>92</sup> Washington Post, “Russian government hackers penetrated DNC, stole opposition research on Trump,” June 14, 2016. [[https://www.washingtonpost.com/world/national-security/russian-government-hackers-penetrated-dnc-stole-opposition-research-on-trump/2016/06/14/cf006cb4-316e-11e6-8ff77b6c1998b7a0\\_story.html?utm\\_term=.e2cff209578a](https://www.washingtonpost.com/world/national-security/russian-government-hackers-penetrated-dnc-stole-opposition-research-on-trump/2016/06/14/cf006cb4-316e-11e6-8ff77b6c1998b7a0_story.html?utm_term=.e2cff209578a)]

<sup>93</sup> Business Insider, DNC hacker “Guccifer 2.0” was reportedly confirmed as a Russian agent after forgetting to conceal his identity online,” March 22, 2018. [<http://www.businessinsider.com/dnc-hacker-guccifer-confirmed-as-russian-agent-after-forgetting-to-conceal-identity-2018-391>]

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<sup>94</sup> President Donald Trump, Twitter, July 25, 2016.

<sup>95</sup> Ashley Parker and David E. Sanger, “Donald Trump Calls on Russia to Find Hillary Clinton’s Missing Emails,” *New York Times*, July 27, 2016. [<https://www.nytimes.com/2016/07/28/us/politics/donald-trump-russia-clinton-emails.html>]

<sup>96</sup> President Donald Trump, Twitter, July 27, 2016.  
[<https://twitter.com/realdonaldtrump/status/758236300554174465>]

<sup>97</sup> President Donald Trump, Twitter, September 26, 2016.

<sup>98</sup> Email from Donald Trump Jr. to Kellyanne Conway, Steve Bannon, Jared Kushner, David Bossie, and Brad Parscale, Subject: WikiLeaks, September 21, 2016, Donald Trump Jr. production DJTFP00023909.

<sup>99</sup> HPSCI Executive Session Interview of Donald Trump Jr., December 6, 2017, p.131.

<sup>100</sup> Twitter Direct Message from WikiLeaks to Donald Trump Jr., October 3, 2016, Donald Trump Jr. production, DJTJR01265.

<sup>101</sup> Twitter Direct Message from Donald Trump Jr. to WikiLeaks, October 3, 2016, Donald Trump Jr. production, DJTJR01266.

<sup>102</sup> See Twitter handle @RogerJStoneJr.

<sup>103</sup> Roger Stone, “Can the 2016 election be rigged?” *The Hill*, August 16, 2016. [<http://thehill.com/blogs/pundits-blog/presidential-campaign/291534-can-the-2016-election-be-rigged-you-bet>]

<sup>104</sup> See Twitter handle @RogerJStoneJr.

<sup>105</sup> HPSCI Executive Session Interview of Roger Stone, September 26, 2017, pp.41-41.

<sup>106</sup> HPSCI Executive Session Interview of Roger Stone, September 26, 2017, pp.41-43.

<sup>107</sup> HPSCI Executive Session Interview of Roger Stone, September 26, 2017, pp.100-101.

<sup>108</sup> HPSCI Executive Session Interview of Roger Stone, September 26, 2017, p. 102.

<sup>109</sup> HPSCI Executive Session Interview of Roger Stone, September 26, 2017, p.28.

<sup>110</sup> HPSCI Executive Session Interview of Roger Stone, September 26, 2017, 120-121.

<sup>111</sup> HPSCI Executive Session Interview of Roger Stone, September 26, 2017, 10-11.

<sup>112</sup> HPSCI Executive Session Interview of John Podesta, June 27, 2017, p.8.

<sup>113</sup> HPSCI Executive Session Interview of John Podesta, June 27, 2017, p. 17-18.

<sup>114</sup> HPSCI, Matt Tait Document Production [Bates# TAIT000012-14].

<sup>115</sup> Matt Tait, “The Time I Got Recruited to Collude with the Russians,” *Lawfare Blog*, June 30, 2017.  
[<https://lawfareblog.com/time-i-got-recruited-collude-russians>]

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- <sup>117</sup> HPSCI Majority Russia Report, March 19 version, p. 73.
- <sup>118</sup> HPSCI Majority Russia Report, March 19 version, p. 73.
- <sup>119</sup> HPSCI Majority Russia Report, March 19 version, p. 75.
- <sup>120</sup> Washington Post, “Roger Stone claimed contact with WikiLeaks founder, Julian Assange in 2016, according to two associates,” March 13, 2018. [[https://www.washingtonpost.com/politics/roger-stone-claimed-contact-with-wikileaks-founder-julian-assange-in-2016-according-to-two-associates/2018/03/13/a263f842-2604-11e8-b79d-f3d931db7f68\\_story.html?utm\\_term=.16c6fc270330](https://www.washingtonpost.com/politics/roger-stone-claimed-contact-with-wikileaks-founder-julian-assange-in-2016-according-to-two-associates/2018/03/13/a263f842-2604-11e8-b79d-f3d931db7f68_story.html?utm_term=.16c6fc270330)]
- <sup>121</sup> HPSCI, Executive Session Interview of Carter Page, November 2, 2018. The Committee released the transcript publicly pursuant to an arrangement between the Majority and Page. It can also be found in Chapter VI (Transcripts).
- <sup>122</sup> HPSCI Minority, *Correcting the Record – The Russia Investigations*, January 29, 2018, pp. 3-4. Attached at Appendix F.
- <sup>123</sup> Trump Campaign Document Production, Email from Carter Page to Tera Dahl and JD Gordon, July 8, 2016 [Bates #DJTFP00004021].
- <sup>124</sup> Trump Campaign Document Production, Email Attachment from Carter Page to Tera Dahl, JD Gordon, and Walid Phares, July 8, 2016 [Bates # DJTFP00004024].
- <sup>125</sup> HPSCI Majority Russia Report, March 21, 2018 version, p. 76.
- <sup>126</sup> HPSCI Majority Russia Report, March 21, 2018 version, p. 76.
- <sup>127</sup> HPSCI Majority Russia Report, March 21, 2018 version, p. 77.
- <sup>128</sup> HPSCI Minority, *Correcting the Record – The Russia Investigations*, January 29, 2018, pp. 1-2. See Appendix F.
- <sup>129</sup> FBI Statement on HPSCI Memo, January 31, 2018, <https://www.fbi.gov/news/pressrel/press-releases/fbi-statement-on-hpsci-memo>.
- <sup>130</sup> HPSCI Minority, *Correcting the Record – The Russia Investigations*, January 29, 2018, p. 4.
- <sup>131</sup> Elen Nakashima, Adam Entous, and Greg Miller, “Russian ambassador told Moscow that Kushner wanted secret communications channel with Kremlin,” *The Washington Post*, May 26, 2017. [[https://www.washingtonpost.com/world/national-security/russian-ambassador-told-moscow-that-kushner-wanted-secret-communications-channel-with-kremlin/2017/05/26/520a14b4-422d-11e7-9869-bac8b446820a\\_story.html](https://www.washingtonpost.com/world/national-security/russian-ambassador-told-moscow-that-kushner-wanted-secret-communications-channel-with-kremlin/2017/05/26/520a14b4-422d-11e7-9869-bac8b446820a_story.html)]
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<sup>137</sup> Jo Becker, Matthew Rosenberg, and Maggie Haberman, “Senate Committee to Question Jared Kushner Over Meetings With Russians,” *New York Times*, March 27, 2017. [<https://www.nytimes.com/2017/03/27/us/politics/senate-jared-kushner-russia.html>]

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<sup>140</sup> Sari Horwitz and Devlin Barrett, “Mueller gathers evidence that 2017 Seychelles meeting was effort to establish back channel to Kremlin,” *The Washington Post*, March 7, 2018. [[https://www.washingtonpost.com/world/national-security/mueller-gathers-evidence-that-2016-seychelles-meeting-was-effort-to-establish-back-channel-to-kremlin/2018/03/07/b6a5fb8c-224b-11e8-94da-ebf9d112159c\\_story.html](https://www.washingtonpost.com/world/national-security/mueller-gathers-evidence-that-2016-seychelles-meeting-was-effort-to-establish-back-channel-to-kremlin/2018/03/07/b6a5fb8c-224b-11e8-94da-ebf9d112159c_story.html)]

<sup>141</sup> HPSCI, Executive Session Interview of Erik Prince (Redacted), November 30, 2017, pp. 14-15.

<sup>142</sup> HPSCI, Executive Session Interview of Erik Prince (Redacted), November 30, 2017, p. 29.

<sup>143</sup> HPSCI Majority Russia Report, March 21, 2018 version, p. 86.

<sup>144</sup> HPSCI Majority Russia Report, March 21, 2018 version, p. 86.

<sup>145</sup> HPSCI Majority Russia Report, March 21, 2018 version, p. 87.

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<sup>166</sup> HPSCI, Michael Cohen Document Production, Email from Felix Sater to Michael Cohem, November 3, 2015. [Bates #MDC-H-000451]

<sup>167</sup> HPSCI Majority Russia Report, March 21, 2018 version ~~95~~ Finding #26.

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<sup>168</sup> *U.S. v. Richard W. Gates III* (1:17-cr-201, District of Columbia); *U.S. v. Paul J. Manafort, Jr.* (1:17-cr-201, District of Columbia).

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<sup>170</sup> *U.S. v. Paul J. Manafort, Jr.* (1:17-cr-201, District of Columbia)

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<sup>172</sup> *United States of America v. Paul J. Manafort, Jr.* (Crim. No. 17-201-1(ABJ)), Document 73, Filed on December 4, 2017 in the U.S. District Court for the District of Columbia.

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<sup>178</sup> HPSCI Majority Report, March 22 version, p. 119.

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<sup>181</sup> National Security Agency Director Admiral Rogers, Testimony before the Armed Services Committee, February 27, 2018, pp. 19-20. [[https://www.armed-services.senate.gov/imo/media/doc/18-17\\_02-27-18.pdf](https://www.armed-services.senate.gov/imo/media/doc/18-17_02-27-18.pdf)]

<sup>182</sup> National Security Agency Director Admiral Rogers, Testimony before the Armed Services Committee, February 27, 2018, pp. 91-92. [[https://www.armed-services.senate.gov/imo/media/doc/18-17\\_02-27-18.pdf](https://www.armed-services.senate.gov/imo/media/doc/18-17_02-27-18.pdf)]

<sup>183</sup> HPSCI Majority Report, p. 99 ("Chapter 5 - Intelligence Community Assessment Leaks. Key Question #4: What possible leaks of classified information took place related to the Intelligence Community's assessment of these matters?")

<sup>184</sup> HPSCI Majority Russia Report, March 21, 2018 version, p.108.

<sup>185</sup> HPSCI Majority Russia Report, March 21, 2018 version, p. 107 (internal citation and quotations omitted).

<sup>186</sup> HPSCI, Executive Session Interview of James Clapper, July 17, 2017, p. 34-35.

<sup>187</sup> HPSCI, Executive Session Interview of James Clapper, July 17, 2017, pp. 85-86.

<sup>188</sup> James Comey, Hearing before the Select Committee on Intelligence of the United States Senate, June 8, 2017. [Transcript: <https://www.intelligence.senate.gov/hearings/open-hearing-former-fbi-director-james-comey#>]

<sup>189</sup> See, e.g., President Donald Trump, Twitter, June 9, 2017 [<https://twitter.com/realdonaldtrump/status/873120139222306817>] (“Despite so many false statements and lies, total and complete vindication...and WOW, Comey is a leaker!”); June 11, 2017 [<https://twitter.com/realdonaldtrump/status/873879934040780801>] (“I believe the James Comey leaks will be far more prevalent than anyone ever thought possible. Totally illegal? Very 'cowardly!'”); July 10, 2017 [<https://twitter.com/realdonaldtrump/status/884361623514656769>] (“James Comey leaked CLASSIFIED INFORMATION to the media. That is so illegal!”); October 18, 2017 [<https://twitter.com/realdonaldtrump/status/920604520572424193>] (“As it has turned out, James Comey lied and leaked and totally protected Hillary Clinton. He was the best thing that ever happened to her!”); December 3, 2017 [<https://twitter.com/realdonaldtrump/status/937279001684598784>] (“I never asked Comey to stop investigating Flynn. Just more Fake News covering another Comey lie!”); March 18, 2018 [<https://twitter.com/realdonaldtrump/status/975341676297445377>] (“Wow, watch Comey lie under oath to Senator G when asked “have you ever been an anonymous source...or known someone else to be an anonymous source...?” He said strongly “never, no.” He lied as shown clearly on @foxandfriends.”)

<sup>190</sup> President Donald Trump, Twitter, May 12, 2017 [<https://twitter.com/realdonaldtrump/status/863007411132649473>] (“James Comey better hope that there are no “tapes” of our conversations before he starts leaking to the press!”)

<sup>191</sup> President Donald Trump, Twitter, December 3, 2017 [<https://twitter.com/realdonaldtrump/status/937279001684598784>]

<sup>192</sup> President Donald Trump, Twitter, July 25, 2017 [<https://twitter.com/realdonaldtrump/status/889792764363276288>]

<sup>193</sup> President Donald Trump, Twitter, July 26, 2017 [<https://twitter.com/realdonaldtrump/status/890207082926022656>] and [<https://twitter.com/realdonaldtrump/status/890208319566229504>]

<sup>194</sup> See, e.g., HPSCI, Executive Session Interview of Andrew McCabe, December 19, 2017, p. 58-59; and at pp. 88-89 (McCabe recalling his discussion, with Comey, of a March 30 phone call with the President, and further recalling, with respect to “one of the phone calls[,] [that] the Director’s chief of staff, Jim Rybicki was in the room while the Director was on the phone call.”).

*MR. SCHIFF: ...Did you also have a meeting or discussion on the phone with Director Comey after the March 30th meeting [between Comey and the President] where he discussed what took place during the meeting?*

*MR. MCCABE: Yes, sir.*

*MR. SCHIFF: Was that a phone conversation as well?*

*MR. MCCABE: The best of my recollection is we probably discussed it in person. I think Director Comey was in his office for that phone call.*

*MR. SCHIFF: Were you present during the call?*

*MR. MCCABE: No, sir.*

*MR. SCHIFF: Do you know whether other agents were in the room with him and could at least listen to his half of the conversation?*



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*MR. MCCABE: I know that for one of the phone calls the Director's chief of staff, Jim Rybicki was in the room while the Director was on the phone call. I'm not sure if it was that call. I know there was one other phone call. I'm confused as to which one that happened.*

<sup>195</sup> James B. Comey, Statement for the Record, Senate Select Committee on Intelligence, June 8, 2017. [<https://www.intelligence.senate.gov/sites/default/files/documents/os-jcomey-060817.pdf>]

<sup>196</sup> HPSCI, Executive Session Interview of Andrew McCabe, December 19, 2017, pp. 51-55.

<sup>197</sup> HPSCI, Executive Session Interview of Andrew McCabe, December 19, 2017, pp. 57-61.

<sup>198</sup> HPSCI, Executive Session Interview of Andrew McCabe, December 19, 2017, pp. 89-91 (emphasis added).

<sup>199</sup> HPSCI, Executive Session Interview of Andrew McCabe, December 19, 2017, pp. 91-93

<sup>200</sup> HPSCI, Executive Session Interview of Andrew McCabe, December 19, 2017, pp. 145-46.

<sup>201</sup> HPSCI, Executive Session Interview of Andrew McCabe, December 19, 2017, pp. 146-151.

<sup>202</sup> HPSCI, Executive Session Interview of Andrew McCabe, December 19, 2017, pp. 153-156.

<sup>203</sup> President Donald Trump, Twitter, December 23, 2017 [<https://twitter.com/realdonaldtrump/status/944667102312566784>]

<sup>204</sup> President Donald Trump, Twitter, December 23, 2017 [<https://twitter.com/realdonaldtrump/status/944666448185692166>]

<sup>205</sup> President Donald Trump, Twitter, December 23, 2017 [<https://twitter.com/realdonaldtrump/status/944665687292817415>]

<sup>206</sup> President Donald Trump, Twitter, December 24, 2017 [<https://twitter.com/realdonaldtrump/status/944906847970119680>]

<sup>207</sup> President Donald Trump, Twitter, March 18, 2018 [<https://twitter.com/realdonaldtrump/status/974859881827258369>]

<sup>208</sup> President Donald Trump, Twitter, March 18, 2018 [<https://twitter.com/realdonaldtrump/status/974859881827258369>]

<sup>209</sup> President Donald Trump, Twitter, March 18, 2018 [<https://twitter.com/realdonaldtrump/status/975346628113596417>]

<sup>210</sup> HPSCI, Executive Session Interview with Jared Kushner, July 26, 2017, p.101.

<sup>211</sup> When asked by press whether he still planned to release the transcripts at the end of the investigation, Conaway replied: "Absolutely." Billy House, "House Russia Probe Dissolves Into a Fight Over Transcripts," *Bloomberg*, March 14, 2018. [<https://www.bloomberg.com/news/articles/2018-03-14/house-russia-probe-dissolves-into-fight-over-public-transcripts>]