



Spygate: The Inside Story Behind The Alleged Plot To Take Down Trump



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Efforts by high-ranking officials in the CIA, FBI, Department of Justice (DOJ), and State Department to portray President Donald Trump as having colluded with Russia were the culmination of years of bias and politicization under the Obama administration.



The weaponization of the intelligence community and other government agencies created an environment that allowed for obstruction in the investigation into Hillary Clinton and the relentless pursuit of a manufactured collusion narrative against Trump.





A willing and complicit media spread unsubstantiated leaks as facts in an effort to promote the Russia-collusion narrative.

The Spygate scandal also raises a bigger question: Was the 2016 election a one-time aberration, or was it symptomatic of decades of institutional political corruption?

This article builds on dozens of congressional testimonies, court documents, and other research to provide an inside look at the actions of Obama administration officials in the scandal that's become known as Spygate.

To understand this abuse of power, it helps to go back to July 2011, when DOJ Inspector General Michael Horowitz was appointed.

From the very start, Horowitz found his duties throttled by Attorney General Eric Holder, who placed limitations on the inspector general's right to have unobstructed access to information. Holder [used this tactic](#) to delay Horowitz's investigation of the failed sting operation known as Operation Fast and Furious.

"We got access to information up to 2010 in all of these categories. No law changed in 2010. No policy changed. ... It was simply a decision by the General Counsel's Office in 2010 that they viewed, now, the law differently. And as a result, they weren't going to give us that information," Horowitz [told](#) members of Congress in February 2015.

On Aug. 5, 2014, Horowitz and other inspectors general had sent a [letter to Congress](#) asking for unimpeded access to all records. Deputy Attorney General Sally Yates responded on July 20, 2015, with a 58-page memorandum, titled "[Memorandum for Sally Quillian Yates Deputy Attorney General](#)," written by Karl R. Thompson, the principal deputy assistant attorney general of the Office of Legal Counsel (OLC).

The July 20, 2015, opinion was [widely criticized](#). But it accomplished what it was intended to do. The opinion limited IG Horowitz's oversight from extending to any information collected under Title III—including intercepted communications and national security letters. (Notably, The New York Times [disclosed](#) that national security letters were used in the surveillance of the Trump 2016 presidential campaign.)

In response, on Aug. 3, 2015, IG Horowitz sent a [blistering letter](#) to Congress. The letter was signed not only by Horowitz but by all other acting inspectors general as well:

"The OLC opinion's restrictive reading of the IG Act represents a potentially serious challenge to the authority of every Inspector General and our collective ability to conduct our work thoroughly, independently, and in a timely manner. Our concern is that, as a result of the OLC opinion, agencies other than DOJ may likewise withhold crucial records from their Inspectors General, adversely impacting their work.

Horowitz continued to push Congress for oversight access and encouraged passage of the [Inspector General Empowerment Act](#). Horowitz would ultimately win his battle, but only as President Barack Obama was leaving office. On Dec. 16, 2016, [Obama finally signed](#) the Inspector General Empowerment Act into law.

It is against this backdrop of minimal oversight that Spygate took place.

Ironically, the Clinton email server investigation, known as the “Mid-Year Exam,” originated from a disclosure contained in a June 29, 2015, memo sent by the inspectors general for both the State Department and the Intelligence Community to Patrick F. Kennedy, then-undersecretary of state for management.

The IGs’ memo included an assessment that Clinton’s email account contained hundreds of classified emails, despite Clinton’s claims that there was no classified information present on her server.

On July 6, 2015, the IG for the Intelligence Community made a [referral](#) to the FBI, which resulted in the official opening of an investigation into the Clinton email server by FBI officials Randall Coleman and Charles Kable on July 10, 2015.

A Hand-Picked Team

At this time, Peter Strzok was an assistant special agent in charge at the FBI’s Washington Field Office. The assistant director in charge at the Washington Field Office during this period was Andrew McCabe, a position he [assumed](#) on Sept. 14, 2014.

On July 30, 2015, within weeks of the FBI’s opening of the Clinton investigation, McCabe was suddenly [promoted](#) to the No. 3 position in the FBI. With his new title of associate deputy director, McCabe was transferred to FBI headquarters from the Washington Field Office, and his direct involvement in the Clinton investigation began.

Strzok would follow shortly. Less than a month after McCabe was transferred, FBI headquarters reached out to the Washington Field Office, saying it needed greater staffing and resources “based on what they were looking at, based on some of the investigative steps that were under consideration,” Strzok told congressional investigators in a closed-door hearing on June 27, 2018.

Strzok was one of the agents selected, and in late August 2015, he was assigned to the Mid-Year Exam team and transferred to FBI headquarters. Strzok, in his comments to lawmakers, acknowledged that the newly formed investigative team was largely made up of hand-picked personnel from the Washington Field Office and FBI headquarters.

Starting in October 2015 and continuing into early 2016, FBI Director James Comey made a series of high-profile reassignments that resulted in the complete turnover of the upper-echelon of the FBI team working on the Clinton email investigation:

- **Oct. 12, 2015:** Louis Bladel was moved to the New York Field Office.
- **Dec. 1, 2015:** Randall Coleman, assistant director of Counterintelligence, was named as executive assistant director of the Criminal, Cyber, Response, and Services Branch, and was replaced by Bill Priestap.
- **Dec. 9, 2015:** Charles “Sandy” Kable was moved to the Washington Field Office.
- **Feb. 1, 2016:** Mark Giuliano retired as FBI deputy director and was replaced by Andrew McCabe.
- **Feb. 11, 2016:** John Giacalone retired as executive assistant director and was replaced by Michael Steinbach.
- **March 2, 2016:** Gerald Roberts, Jr. was moved to the Washington Field Office.

Comey is the only known senior FBI leadership official who remained involved throughout the entire Clinton email investigation. McCabe had the second-longest tenure.

On Jan. 29, 2016, Comey [appointed](#) McCabe as FBI deputy director, replacing the retiring Giuliano, and McCabe assumed the No. 2 position in the FBI, after having held the No. 3 position for just six months.

It was at this point that FBI lawyer Lisa Page was assigned to McCabe as his special counsel. This was not the first time that Page worked directly for McCabe. James Baker, the FBI’s former general counsel, told congressional investigators that Page had worked for McCabe at various times during McCabe’s career, going back as far as 2013.

By early 2016, the three participants in the infamous “insurance policy” meeting—McCabe, Strzok, and Page—were now in place at the FBI.

In January 2016, Bill Priestap was named as head of the FBI's Counterintelligence Division, replacing Coleman and inheriting the Clinton email investigation in the process.

According to Priestap, Coleman had "set up a reporting mechanism that leaders of that team would report directly to him, not through the customary other chain of command" in the Clinton email investigation. Priestap, who said he didn't know why Coleman had "set it up," kept the chain of command in place when he assumed Coleman's position in January 2016.

This new structure resulted in some unusual reporting lines that went outside normal chains of command. Strzok, who would not normally fall under Priestap's oversight, was now reporting directly to him.

As Priestap described it, the team involved in the Clinton investigation comprised three different but intertwined elements: the primary team, the filter team, and the senior leadership team.

The primary team was small, consisting only of Strzok, FBI analyst Jonathan Moffa, and, to varying degrees, filter team leader Rick Mains and FBI lawyer Sally Moyer. Mains reported to Strzok and Moffa, who in turn, along with Moyer, provided briefings to Priestap.

Below Strzok and Moffa was the day-to-day investigative "filter" team of approximately 15 FBI agents and analysts that was overseen by Mains, a supervisory special agent.

The senior leadership team was more fluid, consisting of higher-level FBI officials who provided briefings and updates to Comey and/or McCabe. In addition to Priestap, Strzok, and Moffa, frequent attendees included Moyer, Page, Deputy General Counsel Trisha Anderson, chief of staff Jim Rybicki, and General Counsel James Baker.

While the elements of the day-to-day investigative team differed for the Clinton email investigation and the Trump–Russia investigation, the primary team remained the same throughout both cases—as did the lines of communication between the FBI and the DOJ. According to testimony by Page, John Carlin, who ran the DOJ's National Security Division (NSD), was receiving briefings on both investigations directly from McCabe.

Priestap Left in the Dark

Priestap, who testified that he was unaware of the frequency of meetings between McCabe, Strzok, and Lisa Page, seems to have been kept in the dark regarding many of the actions taken by Strzok, who appeared to be exercising significant investigative control. Priestap was asked about this by congressional investigators during a June 5, 2018, testimony:

Rep. Meadows: *"It sounds like Peter Strzok was kind of driving the train here. Would you agree with that?"*

Mr. Priestap: *"Peter and Jon, yeah."*

Additionally, Page often circumvented the established chain of command, not only with McCabe, for whom she reportedly served as a conduit for Strzok, but also with Baker. Additionally, there were concerns that Page bypassed both the executive assistant director for the National Security Branch—first Giacalone, then Steinbach—and Priestap, the head of counterintelligence. Anderson, the No. 2 lawyer, admitted in her testimony to congressional investigators that she had been aware of these concerns, saying, "Neither of them personally complained to me, but I was aware of their concerns."

A report published by IG Horowitz in June 2018, which reviewed the FBI's investigation of the Clinton email case, included the notable statement that several witnesses had informed the IG that Page "circumvented the official chain of command, and that Strzok communicated important Midyear case information to her, and thus to McCabe, without Priestap's or Steinbach's knowledge." Steinbach, who was the executive assistant director and Priestap's direct supervisor, [left the FBI](#) in early 2017.

According to Anderson, McCabe was aware of the ongoing concerns regarding Page's circumventions, but it appears that nothing was done to address them:

Mr. Baker: *"Do you know if Mr. McCabe was aware that some of his agent executives were concerned that they were being bypassed on information on what, by all accounts, was a sensitive, critical investigation?"*

Ms. Anderson: *"My understanding was that he was aware."*

DOJ Prevents 'Gross Negligence' Charges

By the spring of 2016, the Clinton email investigation was already winding down. This was due in large part to the fact that the DOJ, under Attorney General Loretta Lynch, had decided to set an unusually high threshold for the prosecution of Clinton, effectively ensuring from the outset that she would not be charged.

In order for Clinton to be prosecuted, the DOJ required the FBI to establish evidence of intent—even though the gross negligence statute explicitly does not require this.

This meant that the FBI would have needed to find a smoking gun, such as an email or an admission made during FBI questioning, revealing that Clinton or her aides knowingly set up the private email server to send classified information.

According to Page, the DOJ played a far larger role in the Clinton investigation than previously had been known:

"Everybody talks about this as if this was the FBI investigation, and the truth of the matter is there was not a single step, other than the July 5th statement, there was not a single investigative step that we did not do in consultation with or at the direction of the Justice Department," Page told congressional investigators on July 13, 2018.

Comey also had hinted at the influence exerted by the DOJ over the Clinton investigation, at a July 5, 2016, [press conference](#), in which he [recommended](#) that Clinton not be charged, stating that "there are obvious considerations, like the strength of the evidence, especially regarding intent."

Notably, Comey had been convinced to remove the term "gross negligence" to describe Clinton's actions from his prepared statement by, among others, Page, Strzok, Anderson, and Moffa.

CIA Director Instigates Trump Investigation

As the Clinton investigation wound down, interest from the intelligence community in the Trump campaign was ramping up. Sometime in 2015, it appears former CIA Director John Brennan established himself as the point man to push for an investigation into the Trump campaign. Using a combination of unofficial foreign intelligence compiled by contacts, colleagues, and associates—[primarily from the UK](#), but also from other Five Eyes members, such as Australia—Brennan then fed this information to the FBI. Brennan stated this fact repeatedly during a May 23, 2017, [congressional testimony](#):

"I made sure that anything that was involving U.S. persons, including anything involving the individuals involved in the Trump campaign, was shared with the [FBI]."

Brennan also admitted that it was his intelligence that helped [establish](#) the FBI investigation:

"I was aware of intelligence and information about contacts between Russian officials and U.S. persons that raised concerns in my mind about whether or not those individuals were cooperating with the Russians, either in a witting or unwitting fashion, and it served as the basis for the FBI investigation to determine whether such collusion [or] cooperation occurred."

In late 2015, Britain's Government Communications Headquarters (GCHQ) was involved in collecting information regarding then-candidate Trump and transmitting it to the United States. The GCHQ is the UK equivalent of the U.S. National Security Agency (NSA).

While GCHQ was gathering intelligence, low-level Trump campaign foreign-policy adviser George Papadopoulos appears to have been targeted, after a series of highly coincidental meetings.

Most of these meetings with Papadopoulos—whose own background and reasons for joining the Trump campaign remain suspicious—occurred in the first half of 2016.

Maltese professor Josef Mifsud, Australian diplomat Alexander Downer, FBI informant Stefan Halper, and officials from the UK's Foreign and Commonwealth Office (FCO) all crossed paths with Papadopoulos—some repeatedly so.

Mifsud, who introduced Papadopoulos to a series of Russian contacts, appears to have more connections with Western intelligence than with Russian intelligence.

Downer, then Australia's high commissioner to the UK, met with Papadopoulos in May 2016, in a meeting [established](#) through a chain of two intermediaries.

Information allegedly relayed by Papadopoulos during the Downer meeting—that the Russians had damaging information on Clinton—appears nearly identical to claims later contained in the first memo from former MI6 spy and dossier author Christopher Steele that the FBI obtained in early July 2016.

Downer's conversation with Papadopoulos was reportedly disclosed to the FBI on July 22, 2016, through Australian government channels, although it may have come directly from Downer himself.

Details from the conversation between Downer and Papadopoulos were then used by the FBI to open its counterintelligence investigation on July 31, 2016.

In the summer of 2016, Robert Hannigan, the head of the UK's GCHQ, traveled to Washington to [meet with](#) Brennan regarding alleged communications between the Trump campaign and Moscow. Around the same time, Brennan [formed](#) an inter-agency task force comprising an estimated six agencies and/or government departments. The FBI, Treasury, and DOJ handled the domestic inquiry into Trump and possible Russia connections. The CIA, Office of the Director of National Intelligence, and the NSA handled foreign and intelligence aspects.

During this time, Brennan appeared to have employed the use of [reverse targeting](#), which refers to the targeting of a foreign individual with the intent of capturing data on a U.S. citizen.

Mr. Brennan: *"We call it incidental collection in terms of CIA's foreign intelligence collection authorities. Any time we would incidentally collect information on a U.S. person, we would hand that over to the FBI because they have the legal authority to do it. We would not pursue that type of investigative, you know, sort of leads. We would give it to the FBI. So, we were picking things up that was of great relevance to the FBI, and we wanted to make sure that they were there—so they could piece it together with whatever they were collecting domestically here."*

As this foreign intelligence—unofficial in nature and outside of any traditional channels—was gathered, Brennan began a process of feeding his gathered intelligence to the FBI. Repeated transfers of foreign intelligence from the CIA director pushed the FBI toward the establishment of a formal counterintelligence investigation.

The last major segment of Brennan's efforts involved a series of three reports. The first, titled the ["Joint Statement from the Department Of Homeland Security and Office of the Director of National Intelligence on Election Security,"](#) was released on Oct. 7, 2016. The second report, ["GRIZZLY STEPPE—Russian Malicious Cyber Activity,"](#) was released on Dec. 29, 2016. The third report, ["Assessing Russian Activities and Intentions in Recent U.S. Elections"](#)—also known as the intelligence community assessment (ICA)—was released on Jan. 6, 2017.

This final report was used to continue pushing the Russia-collusion narrative following the election of President Donald Trump. Notably, Adm. Mike Rogers of the NSA publicly dissented from the findings of the ICA, assigning it only a moderate confidence level.

Fusion GPS and the Steele Dossier

Meanwhile, another less official effort began. Information paid for by the Democratic National Committee (DNC) and the Clinton campaign targeting Trump made its way to the highest levels of the FBI and the State Department, with a sophisticated strategy relying on the personal connections of hired operatives.

At the center of the multi-pronged strategy to disseminate the information were Fusion GPS co-founder Glenn Simpson and former British spy Steele.

In early March 2016, Fusion GPS approached Perkins Coie—the law firm used by the Clinton campaign and the DNC—expressing interest in an "engagement," according to an Oct. 24, 2017, [response letter](#) by Perkins Coie. The firm hired Fusion GPS in April

2016 to “perform a variety of research services during the 2016 election cycle.”

Steele’s firm, Orbis Business Intelligence, was retained by Fusion GPS during the period between June and November 2016. During this time, Steele produced 16 memos, with the last memo dated Oct. 20, 2016. There is one final memo that Steele wrote on Dec. 13 at the request of Sen. John McCain (R-Ariz.).

Steele provided Fusion GPS with something that Simpson’s firm was lacking: access to individuals within the FBI and the State Department. These contacts could be traced back to at least 2010, when Steele had provided assistance in the FBI’s investigation into FIFA over concerns that Russia might have been engaging in bribery to host the 2018 World Cup.

Sometime in the latter half of 2014, Steele began to informally [provide reports](#) he had prepared for a private client to the State Department. One of the recipients of the reports was Victoria Nuland, the assistant secretary of state for European and Eurasian affairs.

After Steele’s company was hired by Fusion GPS in June 2016, he began to reach out to the FBI through Michael Gaeta, an FBI agent and [assistant legal attaché](#) at the U.S. Embassy in Rome who Steele had worked with on the FIFA case. Gaeta also headed up the FBI’s Eurasian Organized Crime unit, which specializes in investigating criminal groups from Georgia, Russia, and Ukraine.

Gaeta was later identified as Steele’s FBI handler, in a July 16, 2018, congressional testimony before the House Judiciary and Oversight committees by Page.

On July 5, 2016, Gaeta traveled to London and met with Steele at the offices of Steele’s firm, Orbis. At some point in early July, Steele passed his initial report to Nuland and the State Department. Nuland later said these documents were passed on at some point to both the FBI and then-Secretary of State John Kerry.

Exactly what happened with the reports that Gaeta brought back from London, and precisely who he gave them to within the FBI, remains unknown, although some media reports have indicated they might have been sent to the FBI’s New York Field Office. During the period following Steele’s initial contact with the FBI, there appears to have been no further FBI interaction or contact with Steele.

Former CIA Contractor Worked for Fusion GPS

Notably, eight months before Fusion GPS hired Christopher Steele, Simpson had hired Nellie Ohr, the wife of then-Associate Deputy Attorney General Bruce Ohr, to work for his firm as a researcher in October 2015. It was at this time that Fusion GPS was retained by the Washington Free Beacon to engage in research on the Trump campaign.

Prior to joining Fusion GPS, Nellie had worked as an independent contractor for an internal open-source division of the CIA, Open Source Works, from 2008 to at least June 2010; it appears likely she remained in that role into 2014.

Nellie told congressional investigators, in her Oct. 19, 2018, closed-door testimony, that part of her work for Fusion GPS was to research the Trump 2016 presidential campaign, including campaign associate Carter Page, early campaign supporter Lt. Gen. Michael Flynn, and campaign manager Paul Manafort, as well as Trump’s family members, including some of his children.

Additionally, email communications between her and Bruce Ohr show that she routinely sent her husband at the DOJ articles on Russia—most carrying a similar negative slant. The emails continued through the duration of Nellie’s employment with Fusion GPS and usually contained a brief, often one-line comment from Nellie.

In her testimony, Nellie described her work as online open-source efforts that utilized “Russian sources, media, social media, government, you know, business registers, legal databases, all kinds of things.” Ohr said that she would “write occasional reports based on the open-source research that I described about Donald Trump’s relationships with various people in Russia.”

The work Nellie conducted for Fusion GPS matches the same skill set used when she worked for Open Source Works, which is a division within the CIA that uses open-source information to produce intelligence products.

When asked how she came to be hired by Fusion GPS and who had approached her, Nellie responded, “Nobody approached me,” telling investigators that it was she who had initiated contact and approached Fusion GPS after reading an article on Simpson.

Nellie would continue to work for Fusion GPS until September 2016. By this time, Simpson and Steele already had started working on pushing the Steele dossier into the FBI.

Following the end of her employment with Fusion GPS, Nellie provided Bruce with a memory stick that contained all of the research she had compiled during her time at the firm. Bruce then gave the memory stick to the FBI, through his handler, Joe Pientka.

Bruce Ohr Becomes a Conduit

Nearly a month after Gaeta brought back the reports that Steele provided in London, Simpson and Steele decided to pursue a new channel into the FBI through Bruce Ohr. Bruce had known Steele since at least 2007, when they met during an “official meeting” while Steele was still employed by the British government as an MI6 agent. Steele had already been in contact with Bruce via email in early 2016. Notably, most of these prior communications appeared to discuss Russian oligarch Oleg Deripaska and his ongoing efforts to obtain a U.S. visa.

On July 29, 2016, Steele [wrote](#) to Bruce, saying that he would “be in DC at short notice on business,” and asked to meet with both Bruce and his wife. On July 30, 2016, the Ohrs met Steele for breakfast at the Mayflower Hotel. Also present at the breakfast meeting was a fourth individual, described by Bruce as “an associate of Mr. Steele’s, another gentleman, younger fellow. I didn’t catch his name.” Nellie testified that Steele’s associate had a British accent.

The timing of the July 30 breakfast meeting is of particular note, as the FBI’s counterintelligence investigation, “Crossfire Hurricane,” was formally opened the following day, on July 31, 2016, by FBI agent Peter Strzok.

According to a transcript of Bruce’s testimony before Congress, Steele [relayed information](#) from his dossier at this meeting and claimed that “a former head of the Russian Foreign Intelligence Service, the SVR, had stated to someone ... that they had Donald Trump over a barrel.”

Steele also referenced Deripaska’s business dealings with Trump campaign chairman Paul Manafort and foreign policy adviser

Carter Page's meetings in Moscow.

Lastly, Bruce noted that Steele told him he had been in contact with the FBI but now had additional reports. "Chris Steele had provided some reports to the FBI, I think two, but that Glenn Simpson had more," he said.

Immediately following the Ohr's breakfast meeting with Steele, Bruce Ohr reached out to FBI Deputy Director McCabe and the two met in McCabe's office—sometime between July 30 and the first days of August. Also present at this meeting was FBI lawyer Page, who had previously worked for Bruce Ohr at the DOJ, where he was her direct supervisor for five to six years.

Bruce Ohr would later testify that during the July/August meeting, he told McCabe that his wife, Nellie, worked for Fusion, noting, "I wanted the FBI to be aware of any possible bias." FBI General Counsel Baker, who reviewed a portion of the Foreign Intelligence Surveillance Act (FISA) application to spy on Trump campaign adviser Carter Page—which relied in part on the information from Steele—told congressional investigators that he was never told of Ohr's concerns regarding possible bias and conflicts of interest.

On Aug. 15, 2016, a week or two following Bruce Ohr's meeting with McCabe, Strzok would send the now-infamous "insurance policy" text referencing McCabe to Lisa Page:

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

On Aug. 22, Bruce Ohr had a meeting with Simpson. Ohr would later discuss that meeting during his testimony:

"I don't know exactly what Chris Steele was thinking, of course, but I knew that Chris Steele was working for Glenn Simpson, and that Glenn might have additional information that Chris either didn't have or was not authorized to prevent [present], give me, or whatever."

It was at this meeting that Simpson first mentioned Belarusian-American businessman Sergei Millian and former Trump attorney Michael Cohen.

Brennan's Briefings to the Gang of Eight

During this same period in late August 2016, Brennan began briefing members of the Gang of Eight on the FBI's counterintelligence investigation, through a series of meetings in August and September 2016. Notably, each Gang of Eight member was briefed separately, calling into question whether each of the members received the same information. Efforts by Democrats to [block](#) the release of transcripts from each meeting are ongoing. Comey, however, did not notify Congress of the FBI investigation until early March 2017, and it's entirely possible he was unaware of Brennan's private briefings during the summer of 2016.

During her testimony, FBI lawyer Lisa Page was questioned by Rep. Mark Meadows (R-N.C.) in relation to an Aug. 25, 2016, text message that read, "What are you doing after the CH brief?" CH almost certainly referred to Crossfire Hurricane.

Lisa Page then was asked about an event that took place on the same day as the "CH brief"—a briefing provided by Brennan to then-Senate Minority Leader Harry Reid:

"You give a brief on August the 25th. Director Brennan is giving a brief. It's not a Gang of Eight brief. It is a one-on-one, from what we can tell, a one-on-one briefing with Harry Reid at that point."

According to Meadows, Brennan briefed Reid on the Steele dossier:

"We have documents that would suggest that in that briefing the dossier was mentioned to Harry Reid and then obviously we're going to have to have conversations. Does that surprise you that Director Brennan would be aware [of the dossier]?"

Lisa Page appeared genuinely surprised that Brennan would have been aware of the dossier's existence at this early point, telling Meadows: "The FBI got this information from our source. If the CIA had another source of that information, I am neither aware of that nor did the CIA provide it to us if they did."

She elaborated further: "As of August of 2016, I don't know who Christopher Steele is. I don't know that he's an FBI source. I don't know what he does. I have never heard of him in all of my life."

This claim by Page seems incongruous when viewed against Bruce Ohr's testimony that he met with Page and McCabe in the first days of August following his July 30, 2016, breakfast with Steele:

"My initial meeting was with Mr. McCabe and with Lisa Page.

"I was telling them about what I was hearing from Chris Steele."

Meanwhile, Brennan's briefing prompted Reid to write not one but two letters to Comey. Both demanded that Comey commence an investigation, with the details to be made public.

Reid's [first letter](#), which touched on Carter Page, was sent on Aug. 27, 2016. Reid's [second letter](#), far angrier and declaring Comey to be in possession of material information, was sent on Oct. 30, 2016.

There had been [reports](#) that Comey had been considering closing the FBI investigation of Trump, something Brennan strongly opposed. Now, with Reid's letters sent, that avenue was effectively closed. The termination of the FBI's Trump–Russia investigation would be all but impossible in the face of Reid's public demands.

Perhaps it was in response to Reid's Aug. 27 letter that the FBI suddenly reached out to Steele in September 2016, asking him for all the information in his possession. The team working on Crossfire Hurricane received documents and a briefing from Steele in mid-September, [reportedly](#) at a meeting in Rome, where Gaeta also was present.

During Lisa Page's testimony, she appeared to corroborate this account, noting that the team received the "reports that are known as the dossier from an FBI agent who is Christopher Steele's handler in September of 2016." She would later clarify the timing, noting "we received the reporting from Steele in mid-September." A [text](#) sent to her by FBI agent Peter Strzok on Oct. 12, 2016, may provide us with the actual date:

"We got the reporting on Sept 19. Looks like [redacted] got it early August."

Steele had produced eight reports from June 20, 2016, through the end of August 2016 (there also is one undated report included in the dossier). No further reports were generated by Steele until Sept. 14, when he suddenly wrote three separate memos in one day. One of the memos referenced a Russian bank named Alfa Bank, misspelled as “Alpha” in his memo. Steele’s sudden burst of productivity was likely done in preparation for his Sept. 19 meeting in Rome with the FBI.

The impact of Brennan’s potential knowledge of the dossier in August 2016 should not be underestimated. As Brennan [testified](#) to Congress, his briefing to the Gang of Eight was done in consultation with the Obama administration:

“Through the so-called Gang-of-Eight process we kept Congress apprised of these issues as we identified them. Again, in consultation with the White House, I personally briefed the full details of our understanding of Russian attempts to interfere in the election to congressional leadership.

“Given the highly sensitive nature of what was an active counter-intelligence case, involving an ongoing Russian effort, to interfere in our presidential election, the full details of what we knew at the time were shared only with those members of Congress.”

The Carter Page FISA Warrant

As the dossier was making its way into the FBI, the agency began its preparations to obtain a FISA warrant on Trump campaign adviser Carter Page, who was surveilled under Title I of the Foreign Intelligence Surveillance Act.

According to Baker’s testimony, it appears that the FBI began to set its sights on Carter Page in the summer of 2016. When asked how he had first gained knowledge of the FBI’s intention to pursue a FISA warrant on Carter Page, Baker testified that it came through his familiarity with the FBI’s investigation:

Mr. Baker: *“I learned of — so I was aware when the FBI first started to focus on Carter Page, I was aware of that because it was part of the broader investigation that we were conducting. So I was aware that we were investigating him. And then at some point in time —”*

Rep. Meadows: *“But that was many years ago. That was in 2014. Or are you talking about 2016?”*

Mr. Baker: *“I am talking about 2016 in the summer.”*

Rep. Meadows: *“Okay.”*

Mr. Baker: *“Yeah. And so I was aware of the investigation, and then at some point in time, as part of the regular briefings on the case, the briefers mentioned that they were going to pursue a FISA.”*

It appears the FBI, and possibly the CIA, began to focus on Carter Page earlier than Baker was aware. Carter Page had been invited some months prior to a July 2016 symposium held at Cambridge regarding the upcoming election. The speaker list was notable:

- **Madeleine Albright** (former U.S. secretary of state)
- **Vin Weber** (Republican Party strategist and former congressman)
- **Peter Ammon** (German ambassador to the UK)
- **Sir Richard Dearlove** (former head of MI6 and Steele’s former boss)
- **Bridget Kendall** (BBC diplomatic correspondent and the next master of Peterhouse College)
- **Sir Malcolm Rifkind** (former defense and foreign secretary)

Carter Page attended the event just four days after his July 2016 Moscow trip, and it was during this time in the UK that he first encountered Stefan Halper. Page’s Moscow trip would later figure prominently in the Steele dossier.

Halper, who has been outed as an FBI informant, stayed in contact with Carter Page for the next 14 months, severing ties exactly as the final FISA warrant on Page expired.

Trisha Anderson, the principal deputy general counsel for the FBI and head of the bureau’s National Security and Cyber Law Branch, approved the application for a warrant to spy on Carter Page before it went to FBI Director James Comey.

According to Anderson, pre-approvals for the Carter Page FISA warrant were provided by both McCabe and Deputy Attorney General Sally Yates, before the FISA application was ever presented to Anderson for review.

“[M]y boss and my boss’ boss had already reviewed and approved this application. And, in fact, the Deputy Attorney General, who had the authority to sign the application, to be the substantive approver on the FISA application itself, had approved the application. And that typically would not have been the case before I did that,” said Anderson.

The unusual preliminary reviews and approvals from both McCabe and Yates appear to have had a substantial impact on the normal review process, leading other individuals like Anderson to believe that the warrant application was more vetted than it really was.

Anderson also testified that she had not read the Carter Page FISA application prior to signing off on it and passing it along to Comey for the final FBI signature. According to FBI lawyer Sally Moyer, the underlying Woods file (a document that provides facts supporting the allegations made in a FISA application) was only read by the originating agent and the supervisory special agent in the field. Moyer also noted that the Woods file relating to the Page FISA had not been reviewed or audited by anyone.

The Carter Page FISA application was largely reliant on the Steele dossier, which was unverified at the time of its submission to the FISA court and remains unverified by the FBI to this day. Circular reporting, provided by Steele himself, was used as corroboration of the dossier. Additionally, Trump campaign adviser George Papadopoulos, whose conversation with Australian diplomat Alexander Downer was used to open the FBI’s July 31, 2016, counterintelligence investigation, is referenced in the FISA, yet there “is no evidence of any cooperation or conspiracy between Page and Papadopoulos,” according to a House Intelligence Committee memo.

Moyer testified that without the Steele dossier, the Carter Page application would have had a “50/50” chance of achieving the

probable cause standard before the FISA court. Notably, the Steele dossier is generally considered to have been largely discredited.

A Perkins Coie Partner and Alfa Bank Allegations

On Sept. 19, shortly after Steele completed his latest three memos, FBI General Counsel James Baker met with Perkins Coie partner Michael Sussmann, the lawyer the DNC turned to on April 28, 2016, after discovering the alleged hacking of their servers.

Sussmann, who sought out the meeting, presented Baker with documents that Baker described as “a stack of material I don’t know maybe a quarter inch half inch thick something like that clipped together, and then I believe there was some type of electronic media, as well, a disk or something.”

The information that Sussmann gave to Baker was related to what Baker described as “a surreptitious channel of communications” between the Trump Organization and “a Russian organization associated with the Russian Government.”

Baker was describing alleged communications between Alfa Bank and a server in the Trump Tower. The allegations, which were investigated by the FBI and proven to be false, were widely covered in the media.

Just four days earlier, on Sept. 14, Steele mentioned Alfa Bank (misspelled as Alpha bank) in one of his memos.

According to Baker’s testimony, there appears to have been at least three meetings with Sussmann—the first in person and at least two subsequent meetings by phone. In either the second or third conversation, Baker came to understand The New York Times was also in possession of Sussmann’s information. As would become clear later, other members of the media also had this same information.

As Baker was meeting with Sussmann, Steele was back in Washington for a series of meetings that included his DOJ contact, Bruce Ohr.

On Sept. 23, 2016, Bruce Ohr again met with Steele for breakfast, telling lawmakers during testimony, “Steele was in Washington, D.C., again, and he reached out to me, and, again, we met for breakfast, and he provided some additional information.” Ohr said this meeting concerned similar topics that were discussed at the July 30, 2016, meeting but did not provide further details.

Bruce Ohr would also meet either that same month or in early October with FBI agent Peter Strzok, FBI lawyer Lisa Page, and DOJ career officials from the criminal division, Bruce Swartz, Zainab Ahmad, and Andrew Weissman (Ohr testified that he was unsure whether Weissman was at this or a later meeting). Both Weissman and Ahmad would later become part of the team assembled by special counsel Robert Mueller.

Steele’s Meetings With the Media

On the same day that Bruce Ohr met with Christopher Steele for breakfast, on Sept. 23, 2016, Yahoo News reporter Michael Isikoff published an article about Trump campaign foreign policy adviser Carter Page. The article, headlined [“U.S. Intel Officials Probe Ties Between Trump Adviser and Kremlin.”](#) was based on an interview with Steele. Isikoff’s article would later be used by the FBI in the FISA spy warrant application on Carter Page as corroborating information.

Following the publication of the Isikoff article, the Hillary for America campaign released a [statement on the same day](#) that touted Isikoff’s “bombshell report,” with the full article attached.

A second lengthy article was published on Sept. 23, by Politico: [“Who Is Carter Page? The Mystery of Trump’s Man in Moscow.”](#) by Julia Ioffe. This article was particularly interesting as it appeared to highlight media efforts by Fusion GPS:

“As I started looking into Page, I began getting calls from two separate ‘corporate investigators’ digging into what they claim are all kinds of shady connections Page has to all kinds of shady Russians. One is working on behalf of various unnamed Democratic donors; the other won’t say who turned him on to Page’s scent. Both claimed to me that the FBI was investigating Page for allegedly meeting with Igor Sechin and Sergei Ivanov, who was until recently Putin’s chief of staff—both of whom are on the sanctions list—when Page was in Moscow in July for that speech.”

Ioffe noted that “seemingly everyone I talked to had also talked to the Washington Post, and then there were these corporate investigators who drew a dark and complex web of Page’s connections.”

Her article also mentioned rumors regarding Alfa Bank:

“In the interest of due diligence, I also tried to run down the rumors being handed me by the corporate investigators: that Russia’s Alfa Bank paid for the trip as a favor to the Kremlin; that Page met with Sechin and Ivanov in Moscow; that he is now being investigated by the FBI for those meetings because Sechin and Ivanov were both sanctioned for Russia’s invasion of Ukraine.”

It was probably during this same trip to Washington that Steele [met with](#) Jonathan Winer, a former deputy assistant secretary of state for international law enforcement and former special envoy for Libya, whom Steele had known since at least 2010.

Winer had received a [separate dossier](#), very similar to Steele’s, from longtime Clinton confidant Sidney Blumenthal. This “second dossier” had been compiled by another longtime Clinton operative, former journalist Cody Shearer, and echoed claims made in the Steele dossier. Winer gave Steele a copy of the “second dossier.” Steele then [shared](#) this second dossier with the FBI, which may have used it as a means to corroborate Steele’s own dossier.

Steele also met with U.S. media during his visit to Washington, doing so “at Fusion’s instruction.” According to [UK Court documents](#), Steele testified that he “briefed” The New York Times, The Washington Post, Yahoo News, The New Yorker, and CNN at the end of September 2016. Steele would engage in a second round of media contact in mid-October 2016, meeting again with The New York Times, The Washington Post, and Yahoo News. Steele testified that all these meetings were “conducted verbally in person.”

Alfa Bank Media Leaks

As Steele’s media meetings were going on, FBI General Counsel James Baker learned that Perkins Coie partner Michael Sussmann was also speaking with reporters from The New York Times regarding the Alfa Bank information that Sussmann had provided to the FBI. After some internal discussion, the FBI approached both Sussmann and The New York Times, asking that any story be held until the FBI had time to complete an investigation into the documents provided by Sussmann. It appears that an agreement was reached, and the FBI began to look into the claims regarding Alfa Bank and the server at Trump Tower.

But Sussmann wasn't the only one that Baker, currently the subject of an ongoing criminal leak investigation, was speaking with. According to congressional investigators, beginning sometime in September 2016—before the presidential election—Baker began having conversations with his old friend and journalist, David Corn of Mother Jones.

According to Baker, these conversations were in relation to ongoing FBI matters:

Rep. Jordan: *"Did you talk to Mr. Corn prior to the election about anything, anything related to FBI matters? Not -- so we're not going to ask about the Steele dossier. Anything about FBI business, FBI matters?"*

Mr. Baker: "Yes."

Rep. Jordan: *"Yes. And do you know -- can you give me some dates or the number of times that you talked to Mr. Corn about FBI matters leading up to the 2016 Presidential election?"*

Mr. Baker: *"I don't remember, Congressman."*

By Oct. 31, 2016, the FBI had apparently wrapped up their investigation into the Alfa Bank allegations, finding no evidence of anything untoward in the process. It was on this day that three separate articles on Alfa Bank would be published.

The first, ["Investigating Donald Trump, F.B.I. Sees No Clear Link to Russia"](#) by The New York Times, appeared to be an updated version of the article they had intended to publish before the FBI asked them to delay their reporting. It stated the following:

"In classified sessions in August and September, intelligence officials also briefed congressional leaders on the possibility of financial ties between Russians and people connected to Mr. Trump. They focused particular attention on what cyberexperts said appeared to be a mysterious computer back channel between the Trump Organization and the Alfa Bank, which is one of Russia's biggest banks and whose owners have longstanding ties to Mr. Putin."

The reference to "classified sessions in August and September" is likely in relation to the series of Gang of Eight briefings that former CIA Director John Brennan engaged in at that time—including his briefing to then-Senate Minority Leader Harry Reid. The article continued:

"F.B.I. officials spent weeks examining computer data showing an odd stream of activity to a Trump Organization server and Alfa Bank. Computer logs obtained by The New York Times show that two servers at Alfa Bank sent more than 2,700 'look-up' messages—a first step for one system's computers to talk to another—to a Trump-connected server beginning in the spring. But the F.B.I. ultimately concluded that there could be an innocuous explanation, like a marketing email or spam, for the computer contacts."

The second article, ["Was a Trump Server Communicating With Russia?"](#) by Slate Magazine, was solely focused on the allegations regarding a server in the Trump Tower that had allegedly been communicating with a server at Alfa Bank in Russia.

Immediately following the publication of the Slate article, Clinton [posted a tweet](#) that included a statement from Jake Sullivan, a senior policy adviser:

"Computer scientists have apparently uncovered a covert server linking the Trump Organization to a Russian-based bank."

Sullivan's statement referenced the Slate article and included the following:

"This could be the most direct link yet between Donald Trump and Moscow. Computer scientists have apparently uncovered a covert server linking the Trump Organization to a Russian-based bank."

"This secret hotline may be the key to unlocking the mystery of Trump's ties to Russia. It certainly seems the Trump Organization felt it had something to hide, given that it apparently took steps to conceal the link when it was discovered by journalists."

The Alfa Bank story took off—despite the same-day story from The New York Times that specifically noted the FBI had investigated that matter and found nothing untoward.

The final article published on Oct. 31, ["A Veteran Spy Has Given the FBI Information Alleging a Russian Operation to Cultivate Donald Trump"](#) by Mother Jones reporter—and Baker's friend —David Corn, also mentioned Alfa Bank:

"In recent weeks, reporters in Washington have pursued anonymous [online reports](#) that a computer server related to the Trump Organization engaged in a high level of activity with servers connected to Alfa Bank, the largest private bank in Russia. On Monday, a Slate [investigation](#) detailed the pattern of unusual server activity but concluded, 'We don't yet know what this [Trump] server was for, but it deserves further explanation.' In an email to Mother Jones, Hope Hicks, a Trump campaign spokeswoman, maintains, 'The Trump Organization is not sending or receiving any communications from this email server. The Trump Organization has no communication or relationship with this entity or any Russian entity.'"

More notably, Corn's article also provided the first public reporting on the existence of the Steele dossier:

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

As it turns out, Corn had detailed, first-hand knowledge of the dossier. According to testimony from Baker, Corn had been provided with parts of the dossier by Fusion GPS head Glenn Simpson. Baker knew of this fact, because within a week of publishing his article, Corn passed these dossier parts on to Baker personally:

Rep. Jordan: *"Prior to the election Mr. Corn had a copy of the dossier and was talking to you about giving that to you so the FBI would have it. Is that all right? I mean all accurate."*

Mr. Baker: *"My recollection is that he had part of the dossier, that we had other parts already, and that we got still other parts from other people, and that -- and nevertheless some of the parts that David Corn gave us were parts that we did not have from another source?"*

Steele had written four memos after the FBI team received his information in mid-September. All of the memos were written in October—on the 12th, 18th, 19th, and the 20th. It is possible that these were the memos passed along to Baker by Corn.

Baker testified that he received elements of the dossier from Corn that were not in the FBI's possession at the time. He said that he immediately turned this information over to leadership within the FBI, noting, "I think it was Bill Priestap," the head of the FBI's Counterintelligence Division.

The use of personal relationships as a mechanism to transmit outside information to the FBI was actually noted by Baker, who said of Corn: "Even though he was my friend, I was also an FBI official. He knew that. And so he wanted to somehow get that into the hands of the FBI."

Bruce Ohr's FBI Handler

Christopher Steele was terminated as a source by the FBI on Nov. 1, 2016, for communicating with the media. Despite this, DOJ official Bruce Ohr and Steele communicated regularly for another full year, until November 2017.

On Nov. 21, 2016, Ohr had a meeting with FBI agent Peter Strzok and FBI lawyer Lisa Page, and was introduced to FBI agent Joe Pientka, who became Ohr's FBI handler. Pientka was also present with Strzok during the Jan. 24, 2017, interview of [Trump's national security adviser, Lt. Gen. Michael Flynn](#).

The next day, Nov. 22, 2016, Ohr met alone with Pientka. Ohr would continue to relay his communications with Steele to the FBI through Pientka, who then recorded them in FD-302 forms. What Ohr didn't know was that Pientka was transmitting all the information directly to Strzok.

Ohr, in his testimony, detailed his interactions with Steele and Glenn Simpson, as well as his communications with officials at the FBI and DOJ. Notably, Ohr repeatedly stated that he never vetted any of the information provided by either Steele or Simpson. He simply turned it over or relayed it to the FBI—usually to Pientka—but Ohr also testified that "at least on two occasions I was handed onto a new agent."

Sometime in late 2016, his wife, Nellie Ohr, provided him with a memory stick containing all of her research that she had compiled while employed at Fusion GPS. Bruce Ohr testified he gave the memory stick to Pientka. Nellie Ohr had left Fusion in September 2016. Through Pientka, Strzok now had all of Nellie Ohr's Fusion research in his possession.

On Dec. 10, 2016, Bruce Ohr met with Simpson, who gave him a memory stick that Ohr believed contained a copy of the Steele dossier. Ohr also passed this second memory stick along to Pientka.

On Jan. 20, 2017, Ohr had one final communication with Simpson, a phone call that took place on the same day as Trump's inauguration. Ohr testified that Fusion GPS co-founder Glenn Simpson was concerned that one of Steele's sources was about to be exposed through the pending publication of an article:

Mr. Ohr: *"He says something along the lines of, I -- there's going to be some reporting in the next few days that's going to -- could expose the source, and the source could be in personal danger."*

Rep. Meadows: *"And why was he concerned about that source being exposed?"*

Mr. Ohr: *"I think he was aware of some kind of article that was likely to come out in the next, you know, few days or something."*

Apparently, Simpson's information was at least partly accurate. On Jan. 24, 2017, The Wall Street Journal [reported](#) that Sergei Millian, a Belarusian-American businessman and onetime Russian government translator, was both "Source D" and "Source E" in the dossier. It remains unknown exactly how Simpson knew in advance that Millian would be outed as a source.

But there are some questions as to the accuracy of the Journal's reporting. The dossier appears to conflict with the newspaper's article in at least one aspect. According to the dossier, Source E was used as confirmation for Source D—meaning they can't be the same person.

McCain, the Dossier, and a UK Connection

Simpson and Steele were carefully thorough in their dissemination efforts. The dossier was fed into U.S. channels through several different sources.

One such source was Sir Andrew Wood, the former [British ambassador](#) to Russia, who had been briefed about the dossier by Steele. Wood may have previously [worked](#) on behalf of Steele's company, Orbis Business Intelligence; he was referenced in a [UK court filing](#) as an associate of Orbis. Wood was also referred to as an adviser to Orbis in a deposition by an associate of late Sen. John McCain (R-Ariz.), David Kramer.

Kramer knew Wood previously from their mutual expertise on Russia. Kramer said in his deposition, which was part of a defamation lawsuit against BuzzFeed News, that Wood told him that "he was aware of information that he thought I should be aware of and that Senator McCain might be interested in."

McCain, Wood, and Kramer would meet later that afternoon, on Nov. 19, 2016, in a private meeting room at the Halifax International Security Forum in Nova Scotia, Canada.

Wood told both Kramer and McCain that "he was aware of this information that had been gathered that raised the possibility of collusion and compromising material on the president-elect. And he explained that he knew the person who gathered the information and felt that the person was of the utmost credibility," Kramer said.

Kramer ascribed the word "collusion" three times to Wood in his deposition. He also said that Wood mentioned the possible existence of a video "of a sexual nature" that might have "shown the president-elect in a compromising situation." According to Kramer, Wood said that "if it existed, that it was from a hotel in Moscow when president-elect, before he was president-elect, had been in Moscow."

No such video was ever uncovered or given to Kramer.

Kramer testified that following the description of the video, "the senator turned to me and asked if I would go to London to meet with what turned out to be Mr. Steele."

Kramer traveled to London to meet with Steele on Nov. 28, 2016. Kramer reviewed all the memos during his meeting with Steele but

wasn't provided with a physical copy of the dossier.

When Kramer returned to Washington, he was provided with a copy of the dossier—which, at that point, consisted of 16 memos—during a meeting with Simpson on Nov. 29, 2016. Kramer also testified that there was another individual, “a male,” present at the meeting.

Interestingly, Kramer testified that Simpson gave him two copies of the dossier, noting that Simpson told him that “one had more things blacked out than the other.” Kramer said, “It wasn't entirely clear to me why there were two versions of this, so but I took both versions.”

Kramer noted that Simpson, who was aware the dossier was being given to McCain, said the dossier “was a very sensitive document and needed to be handled very carefully.”

Despite that warning, Kramer showed the dossier to a number of journalists and had discussions with at least 14 members of the media, along with some individuals in the U.S. government.

Kramer testified that he gave a physical copy of the dossier to reporters Peter Stone and Greg Gordon of McClatchy; to Fred Hiatt, the editor of the Washington Post editorial page; Alan Cullison of The Wall Street Journal; Bob Little at NPR; Carl Bernstein at CNN; and Ken Bensinger at BuzzFeed. It's possible that Kramer gave copies to other reporters as well.

Kramer said that Simpson and Steele were aware of most of these contacts, but that Kramer hadn't told either of them that he gave the dossier to NPR. He also noted that Steele had been in contact with Bernstein at CNN and that the CNN and BuzzFeed meetings occurred at Steele's request. Steele told Kramer that he and Bensinger “had been in touch during the FIFA investigation; they got to know each other that way.”

According to Kramer, he didn't believe that Fusion GPS and Simpson were aware of these two meetings with CNN and BuzzFeed.

Kramer testified that he, McCain, and McCain's chief of staff, Christopher Brose, met to review the dossier on Nov. 30, 2016. Kramer suggested that McCain “provide a copy of [the dossier] to the director of the FBI and the director of the CIA.” McCain later passed a copy of the dossier to James Comey on Dec. 9, 2016. It isn't known whether McCain also provided a copy to then-CIA Director John Brennan. Notably, Brennan did attach a two-page summary of the dossier to the intelligence community assessment that he delivered to outgoing President Barack Obama on Jan. 5, 2017.

Kramer said that he wasn't aware of the content of McCain's Dec. 9 discussion with Comey, noting that he “did not get any readout from the senator on the meeting, but just that it had happened.”

Kramer did, however, provide updates to both Steele and Simpson regarding the status of McCain's meeting with Comey, in subsequent discussions with Simpson and Steele:

“It was mostly just to inform him about whether or not the senator had transfer — transmitted the document to the FBI. Both he and Mr. Steele were — I kept them apprised of whether the senator was — where the senator was in terms of his contact with the FBI.”

The implications of this statement are significant. Kramer, a private citizen, was providing updates to a former British spy as to what a sitting senator, and chairman of the Senate Committee on Armed Services, was saying to the director of the FBI.

Other members of the media also had advance knowledge of McCain's intention to meet with Comey. Kramer testified that both Mother Jones reporter David Corn and Guardian reporter Julian Borger came to meet with him. According to Kramer, “They were mostly interested in Senator McCain and his, whether he had given it to Director Comey or not.”

Several days after McCain, Brose, and Kramer met to discuss the dossier, Kramer said that McCain instructed him to meet with Victoria Nuland, the assistant secretary of state for Europe and Eurasian Affairs, and Celeste Wallander, the senior director for Russia and Central Asia on the National Security Council.

The purpose of the meeting was to verify whether the dossier “was being taken seriously.” Both Nuland and Wallander were previously aware of the dossier's existence, and both officials previously knew Steele, whom “they believed to be credible.” Kramer said he didn't physically share the dossier with them at this point, but met again with Wallander “around New Years” and “gave her a copy of the document”

Nuland had actually [received](#) a copy of the earlier Steele memos back in July 2016.

Steele produced a final memo dated Dec. 13, 2016. According to [UK court documents](#), Kramer, on behalf of McCain, had asked Steele to provide any further intelligence that he had gathered relating to “alleged Russian interference in the US presidential election.” Notably, it appears it was this request from McCain that led Steele to produce his Dec. 13 memo.

Although Kramer didn't provide a date, he said he received the final Steele memo sometime after “Senator McCain had provided the copy to Director Comey.” We know that Kramer received the final memo prior to Dec. 29—when Kramer met with BuzzFeed's Bensinger.

Kramer testified that Bensinger “said he wanted to read them, he asked me if he could take photos of them on his—I assume it was an iPhone. I asked him not to. He said he was a slow reader, he wanted to read it. And so I said, you know, I got a phone call to make, and I had to go to the bathroom...” Kramer said that he “left him to read it for 20, 30 minutes.”

Kramer also testified that besides the reporters, he gave a final copy of the dossier to two other people in early January 2017: Rep. Adam Kinzinger (R-IL.) and House Speaker Paul Ryan's chief of staff, Jonathan Burks.

James Clapper Leaks Details of Obama–Trump Briefings

The [ICA](#) on alleged Russian hacking was released internally on Jan. 5, 2017. On this same day, outgoing president Obama held an undisclosed White House meeting to discuss the assessment—and the attached summation of the dossier—with national security adviser Susan Rice, FBI Director James Comey, and Deputy Attorney General Sally Yates. Rice would later send herself an [email](#) documenting the meeting.

The following day, CIA Director John Brennan, Director of National Intelligence James Clapper, and Comey attached a written summary of the Steele dossier to the classified briefing they gave Obama. Comey then met with President-elect Trump to inform

him of the dossier. This meeting took place just hours after Comey, Brennan, and Clapper formally briefed Obama on both the ICA and the Steele dossier.

Comey would only inform Trump of the “salacious” details contained within the dossier. He later [explained](#) on CNN in an April 2018 interview that he had done so at the request of Clapper and Brennan, “because that was the part that the leaders of the intelligence community agreed he needed to be told about.”

Shortly after Comey’s meeting with Trump, both the Trump–Comey meeting and the existence of the dossier were leaked to CNN. The significance of the meeting was material, as Comey [noted in a Jan. 7 memo](#):

“Media like CNN had them and were looking for a news hook. I said it was important that we not give them the excuse to write that the FBI has the material.”

The media had widely dismissed the dossier as unsubstantiated and, therefore, unreportable. It was only after learning that Comey briefed Trump on it that [CNN reported](#) on the dossier. The House Intelligence Committee report on Russian election interference confirmed that Clapper personally leaked confirmation of the dossier, along with Comey’s meeting with Trump, to CNN:

“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.”

Additionally, the House intelligence report shows Clapper appears to have been the direct source for CNN’s Jake Tapper and his Jan. 10 story that disclosed the existence of the dossier:

“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.’ 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.”

On Jan. 10, 2017, CNN published the article [“Intel Chiefs Presented Trump With Claims of Russian Efforts to Compromise Him”](#) by Evan Perez, Jim Sciutto, Jake Tapper, and Carl Bernstein. (The article would later be updated and have a Jan. 12, 2017, date.)

The allegations within the dossier were made public, and with reporting of the briefings by intelligence community leaders, instant credibility was given to the dossier’s assertions.

Immediately following the CNN story, [BuzzFeed published](#) the Steele dossier, and the Trump–Russia conspiracy was pushed into the mainstream.

David Kramer was asked about his reaction when CNN broke the story on the dossier. According to his deposition, Kramer stated, “I believe my words were ‘Holy [expletive].’”

Kramer, who was actually meeting with The Guardian’s Julian Borger when CNN reported on the dossier, said that he quickly spoke with Steele, who “was shocked.”

On the following day, Jan. 11, 2017, Clapper issued a statement condemning the leaks—without revealing the fact that he was the source of the leak.

On Nov. 17, 2016, Clapper submitted his resignation as director of national intelligence; his resignation became effective on Jan. 20, 2017. Later that year, CNN hired Clapper as its national security analyst.

The Effort to Remove General Flynn

Lt. Gen. Michael Flynn, then-national security adviser to President Donald Trump, was [interviewed](#) on Jan. 24, 2017, by FBI agents Peter Strzok and Joe Pientka about two December 2016 conversations that Flynn had had with Russian Ambassador Sergei Kislyak.

Details of the phone conversation had leaked to the media. Flynn ultimately pleaded guilty to one count of lying to the FBI regarding his conversations with Kislyak. It remains unknown to this day who leaked Flynn’s classified call—a far more serious felony violation.

The Washington Post reported in January 2017 that the FBI had found [no evidence of wrongdoing](#) in Flynn’s actual call with the Russian ambassador. The call, and the matters discussed in it, broke no laws.

Flynn has been portrayed in the media as being suspiciously close to Russia; a dinner in Moscow that occurred in late 2015 is frequently cited as evidence of this.

On Dec. 10, 2015, Flynn attended an event in Moscow to celebrate the 10th anniversary of Russian television network RT. Flynn, who was seated next to Russian President Vladimir Putin for the culminating dinner, was also interviewed on national security matters by an RT correspondent. Flynn’s speaker’s bureau, Leading Authorities Inc., was paid \$45,000 for the event and Flynn received \$33,000 of the total amount.

Seated at the same table with Flynn was Jill Stein, the Green Party candidate in the 2016 election. By all accounts, including [Stein’s](#), Flynn and Putin didn’t engage in any real conversation. At the time, Flynn’s trip didn’t garner significant attention. But it would later be used by the media and the Clinton campaign to push the Russia-collusion narrative.

Notably, as [stated](#) by lawyer Robert Kelner, Flynn disclosed his Moscow trip to the Defense Intelligence Agency before he traveled there and provided a full briefing upon his return:

“As has previously been reported, General Flynn briefed the Defense Intelligence Agency, a component agency of the DoD, extensively regarding the RT speaking event trip both before and after the trip, and he answered any questions that were posed by

the DIA concerning the trip during those briefings.”

Flynn's trip to Russia was first brought to broader attention on July 18, 2016, during a [live interview](#) at the Republican National Convention with Yahoo News reporter Michael Isikoff.

The Isikoff interview took place on July 18, 2016. Unknown at the time, the matter had also captured the attention of Christopher Steele, who had begun publishing his dossier memos on June 20, 2016.

Contained within an Aug. 10, 2016, [memo](#) was this initial reference to Flynn:

“Kremlin engaging with several high profile US players, including STEIN, PAGE and (former DIA Director Michael Flynn) and funding their recent visits to Moscow.”

In addition to the obvious questions raised by the timing of Flynn's name appearing in Steele's Aug. 10 memo, is the manner in which Flynn is denoted. All other names are capitalized, in the manner of intelligence briefings. Flynn's name isn't capitalized and, in one case, appears within parentheses.

Steele met with Yahoo News' Isikoff in September 2016 and gave him information from the dossier. The resulting Sept. 23, 2016, [article](#) from Isikoff was then cited by the FBI as validating Steele's claims and was featured in the original [FISA application](#), and its three subsequent [renewals](#), for a warrant to spy on Trump campaign foreign policy adviser Carter Page.

Steele wasn't the only person Isikoff was working with. On April 26, 2016, Isikoff [published](#) a story on Yahoo News about Paul Manafort's business dealings with Russian oligarch Oleg Deripaska. It was later learned from a Democratic National Committee (DNC) email leaked by [Wikileaks](#) that Isikoff had been working with Alexandra Chalupa, a Ukrainian-American operative who was doing consulting work for the DNC. Chalupa [met with top officials](#) in the Ukrainian Embassy in Washington in an effort to expose alleged ties between Trump, Manafort, and Russia.

The obvious question remains: How did the information on Flynn make its way into the dossier at the time it did, and who provided the information to Steele?

Flynn's 2015 dinner in Moscow was initially used to implicate the Trump campaign's ties to Russia. It was then used as a means to cast doubts on Flynn's ability as Trump's national security adviser. Following Flynn's resignation, it was then used as a means to pursue the ongoing collusion narrative that gained full strength in the early days of the Trump administration.

A Jan. 10, 2017, article in The New York Times, "[Trump's National Security Pick Sees Ally in Fight Against Islamists: Russia](#)," highlighted the efforts:

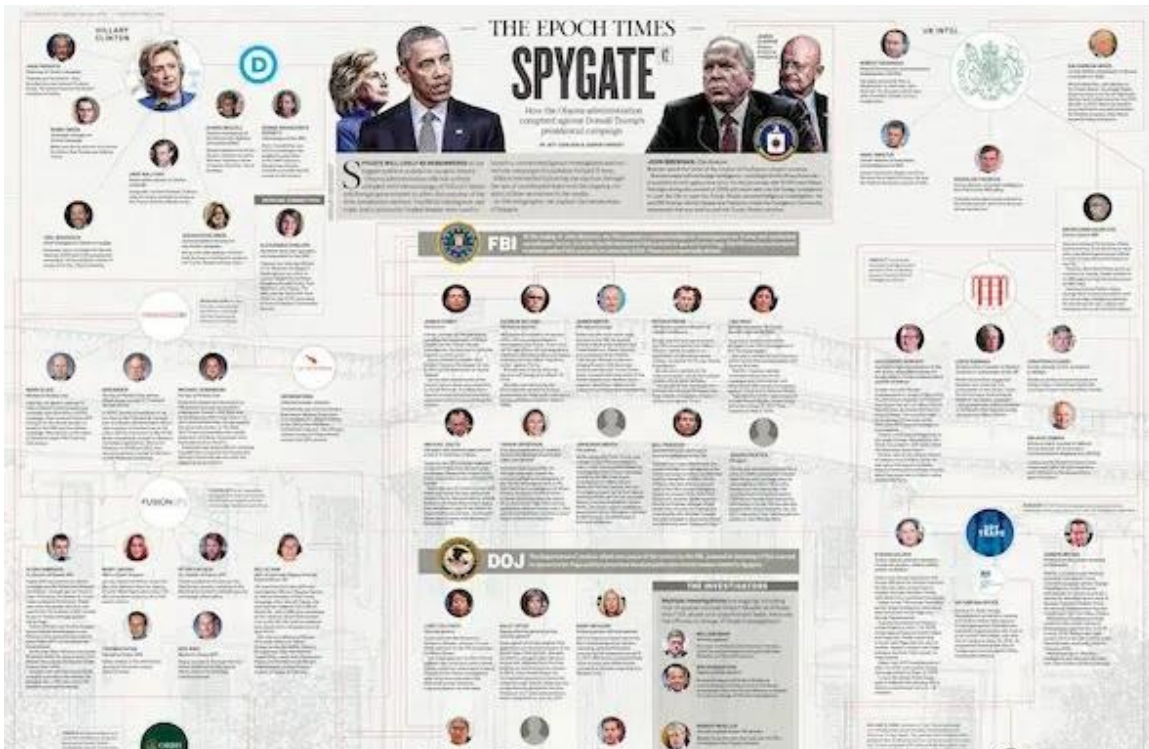
"In an extraordinary report released last week, the agencies [bluntly accused](#) the Russian government of having worked to undermine American democracy and promote the candidacy of Mr. Trump. The report is likely to renew questions about Mr. Flynn's avowed eagerness to work with Russia, and his dismissal of concerns about President Vladimir V. Putin."

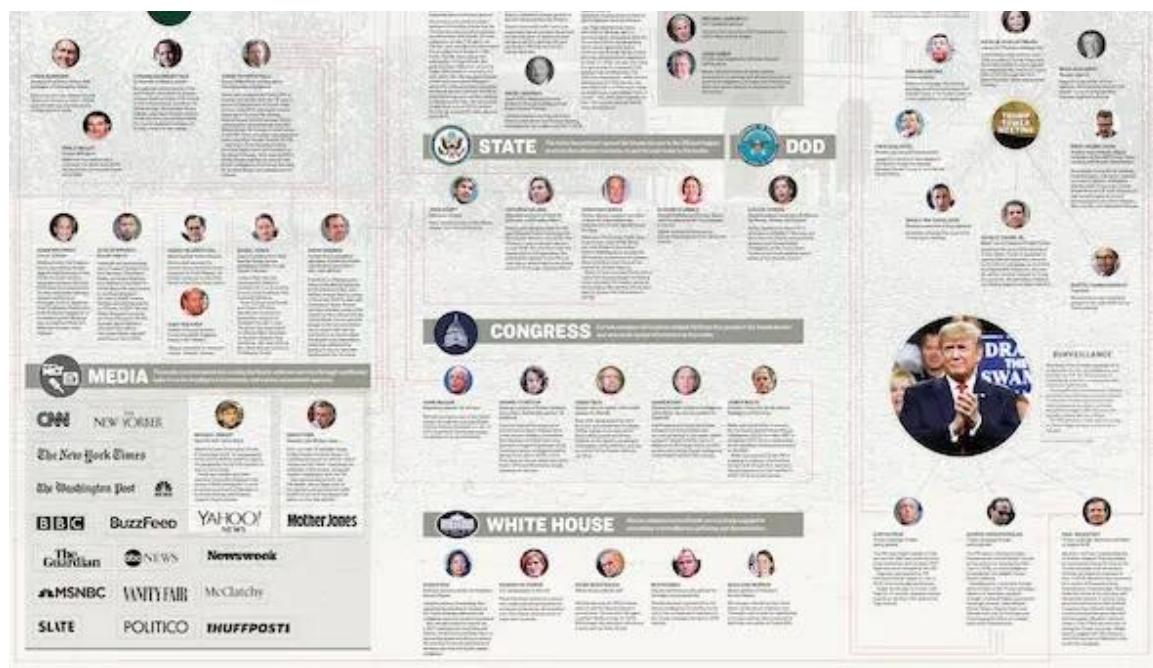
Flynn would resign from his position as national security adviser in February 2017. The sequence of events leading to his resignation were both coordinated and orchestrated, with acting Attorney General Sally Yates playing a leading role.

On Jan. 12, 2017, Flynn's Dec. 29, 2016, call with Kislyak was [leaked](#) to The Washington Post. The article portrayed Flynn as undermining Obama's Russia sanctions that had been imposed on the same day as Flynn's call with the Russian ambassador.

On Jan. 15, five days before Trump's inauguration, Vice President Mike Pence [appeared](#) on "Face the Nation" to defend Flynn's calls.

A few days later, on Jan. 19, Obama officials—Yates, Clapper, Brennan and Comey—met to discuss Flynn’s situation. The concern they [reportedly](#) discussed was that Flynn might have misled Trump administration officials regarding the nature of his call with Kislyak.





Yates, Clapper, and Brennan supported informing the Trump administration of their concerns. Comey took a dissenting view. On Jan 23, Yates again pressured Comey, telling the FBI director that she believed Flynn could be vulnerable to blackmail. At this point, according to media reports, Comey relented, despite the FBI finding nothing unlawful in the content of Flynn's calls.

Strzok and Pientka, at the instruction of McCabe, interviewed Flynn the following day. According to court documents, McCabe and other FBI officials "decided the agents would not warn Flynn that it was a crime to lie during an FBI interview because they wanted Flynn to be relaxed." It was during this interview that Flynn reportedly lied to the FBI.

The DOJ was provided with a detailed briefing of the Flynn interview on the following day. On Jan. 26, Yates contacted White House counsel Don McGahn, who agreed to meet to discuss the matter. Yates arrived at McGahn's office, bringing Mary McCord, John Carlin's acting replacement as head of the DOJ's National Security Division.

Yates later [testified](#) before Congress that the meeting surrounded Flynn's phone calls and his FBI interview. She also testified that Flynn's call and subsequent interview "was a topic of a whole lot of discussion in DOJ and with other members of the intel community." McGahn reportedly asked Yates, "Why does it matter to the DOJ if one White House official lies to another official?"

McGahn called Yates the following day and asked her to return for a second meeting. Yates returned to the White House without McCord. McGahn asked to examine the FBI's evidence on Flynn. Yates said she would respond by the following Monday.

Yates failed to provide McGahn with the FBI's evidence on Flynn. From that point, the pressure on Flynn and the Trump administration escalated—with help from media reporting.

Flynn resigned on Feb. 13, after it was reported that he had misled Pence about phone conversations he'd had with Kislyak.

The following day, [The New York Times reported](#) that "phone records and intercepted calls show that members of Donald J. Trump's 2016 presidential campaign and other Trump associates had repeated contacts with senior Russian intelligence officials in the year before the election, according to four current and former American officials."

With Flynn gone and the Russian narrative firmly established, the conspirators then turned their attention to Trump's newly confirmed attorney general, Jeff Sessions. On March 1, 2017, [The Washington Post reported](#) that Sessions had twice had contact with the Russian ambassador, Kislyak. The following day, March 2, Sessions recused himself from the Russia investigation.

On the same day that Sessions recused himself, Evelyn Farkas, a former deputy assistant secretary of defense, detailed efforts at hampering the newly installed Trump administration, during a March 2, 2017, [interview with MSNBC](#), in which she described how the Obama administration gathered and disseminated intelligence on the Trump team:

"I was urging my former colleagues and, frankly speaking, the people on the Hill ... 'Get as much information as you can. Get as much intelligence as you can before President Obama leaves the administration.'

"The Trump folks, if they found out how we knew what we knew about the Trump staff's dealing with Russians, [they] would try to compromise those sources and methods, meaning we would no longer have access to that intelligence. ... That's why you have the leaking."

Note that Farkas said "how we knew," not just "what we knew."

Obama Officials Used Unmasking to Target the Trump Campaign

On Tuesday, March 21, 2017, the chair of the House Permanent Select Committee on Intelligence, Rep. Devin Nunes (R-Calif.), met a classified source who showed him "dozens" of intelligence reports. Contained within these reports was evidence of surveillance on the Trump campaign. Nunes held a [press conference](#) on March 22 highlighting what he had found:

"I recently confirmed that on numerous occasions, the intelligence community incidentally collected information about U.S. citizens involved in the Trump transition. Details about persons associated with the incoming administration, details with little apparent foreign intelligence value were widely disseminated in intelligence community reporting."

In a series of rapid-fire questions and answers, Nunes attempted to elaborate on what he had been shown:

"From what I know right now, it looks like incidental collection. We don't know exactly how that was picked up but we're trying to get to the bottom of it...I think the NSA's going to comply. I am concerned – we don't know whether or not the FBI is going to comply. I have placed a call, I'm waiting to talk to Director Comey, hopefully later today.

"I have seen intelligence reports that clearly show the President-elect and his team were at least monitored and disseminated out in intelligence, in what appears to be raw—well I shouldn't say raw—but intelligence reporting channels.

"It looks to me like it was all legally collected, but it was essentially a lot of information on the President-elect and his transition team and what they were doing."

The documents Nunes had been shown highlighted the unmasking activities of the FBI, the Obama administration, and CIA Director Brennan in relation to the Trump campaign. Although March 2017 would prove chaotic, the Trump administration had survived the first crucial months, and would now begin to slowly assert its administrative authority.

Comey Testifies No Obstruction by Trump Administration

On May 3, 2017, James Comey [testified](#) before the Senate Judiciary Committee. Under oath, Comey stated that his agency—and the FBI's investigation—had not been pressured by the Trump administration:

Sen. Hirono: *"So if the attorney general or senior officials at the Department of Justice opposes a specific investigation, can they halt that FBI investigation?"*

Mr. Comey: *"In theory, yes."*

Sen. Hirono: *"Has it happened?"*

Mr. Comey: *"Not in my experience. Because it would be a big deal to tell the FBI to stop doing something that – without an appropriate purpose. I mean where oftentimes they give us opinions that we don't see a case there and so you ought to stop investing resources in it. But I'm talking about a situation where we were told to stop something for a political reason. That would be a very big deal. It's not happened in my experience."*

Less than a week later, on May 9, Trump fired Comey based on a May 8 recommendation by Deputy Attorney General Rod Rosenstein.

Rosenstein would later [tell](#) members of Congress: "In one of my first meetings with then-Sen. Jeff Sessions last winter, we discussed the need for new leadership at the FBI. Among the concerns that I recall were to restore the credibility of the FBI, respect the established authority of the Department of Justice, limit public statements and eliminate leaks."

Regarding the recommendation, Rosenstein said: "I wrote it. I believe it. I stand by it."

McCabe's FBI Reaches Out Again to Steele

Within days of Trump's firing of Comey, the FBI, now under the leadership of acting-FBI Director Andrew McCabe, suddenly decided to reestablish direct contact with Christopher Steele through DOJ official Bruce Ohr.

The re-engagement attempt came six months after Steele had been formally terminated by the FBI on Nov. 1, 2016.

The FBI's re-engagement of Ohr was highlighted during a congressional review of some text messages between Ohr and Steele:

Mr. Ohr: *"The FBI had asked me a few days before, when I reported to them my latest conversation with Chris Steele, they had had would he—next time you talk with him, could you ask him if he would be willing to meet again."*

Rep. Jordan: *"So this is the re-engagement?"*

Mr. Ohr: *"Yes."*

The texts being referenced were sent on May 15, 2017, and refer to a request that Ohr received from the FBI to ask Steele to re-engage with the FBI in the days after Comey had been fired on May 9.

This was the only time the FBI used Ohr to reach out to Steele.

The Battle Between McCabe and Rosenstein

Two days after Comey was fired, on May 11, 2017, McCabe [testified](#) before the Senate Intelligence Committee. While the hearing's original intent had been to focus on national security threats, Trump's firing of Comey completely altered the topic of the hearing.

McCabe, who [agreed](#) that he would notify the committee "of any effort to interfere with the FBI's ongoing investigation into links between Russia and the Trump campaign," told members of Congress that there had been "no effort to impede our investigation to date." In other words, McCabe testified that he was unaware of any evidence of obstruction from Trump or his administration. Notably, Comey's May 3 testimony may have left McCabe with little choice other than to confirm there had been no obstruction.

McCabe, however, failed to inform the committee that he was actively considering opening an obstruction-of-justice probe of Trump—a path he would initiate in a meeting with Rosenstein just five days later.

On the morning of May 16, 2017, Rosenstein allegedly [suggested](#) to McCabe that he could secretly record Trump. It was at this [meeting](#) that McCabe was "pushing for the Justice Department to open an investigation into the president," according to witness accounts reported by The Washington Post.

In addition to McCabe, Rosenstein, and McCabe's special counsel, Lisa Page, there were one or two others present, including Rosenstein's [chief of staff](#), James Crowley, and possibly Scott Schools, the senior-most career attorney at the DOJ and a top aide to Rosenstein.

An unnamed participant at the meeting, in comments to The Washington Post, [framed](#) the conversation between McCabe and Rosenstein in an entirely different light, noting that Rosenstein had responded with angry sarcasm to McCabe, saying, "What do you want to do, Andy, wire the president?"

This was just five days after McCabe had publicly testified that there was no obstruction on the part of the Trump administration.

Sometime later that same day, both Rosenstein and Trump met with former FBI Director Robert Mueller in the Oval Office. The meeting was reported as being for the FBI director position, but the idea that Mueller would be considered for the FBI director role seems highly unlikely.

Mueller had previously served as the FBI director from 2001 to 2013—two years beyond the normal 10-year tenure for an FBI director. In 2011, Obama requested that Mueller stay on as FBI director for an additional two years, which required [special congressional approval](#).

Rosenstein appointed Mueller as special counsel the following day, on May 17, 2017, and in doing so, Rosenstein removed control of the Trump–Russia investigation from McCabe and put it in the hands of Mueller.

This was confirmed in a recent statement by a DOJ spokesperson, who said, “The deputy attorney general in fact appointed special counsel Robert Mueller, and directed that Mr. McCabe be removed from any participation in that investigation.”

Following the appointment of Mueller as special counsel, it also appears the FBI’s efforts to re-engage with Steele abruptly ended.

‘There’s No Big There There’

We know the FBI hadn’t found any evidence of collusion in the May 2017 timeframe. While McCabe was attempting to open an obstruction investigation, Peter Strzok—who played a key role in the counterintelligence investigation of the Trump campaign—texted Lisa Page about lacking evidence of collusion:

“You and I both know the odds are nothing. If I thought it was likely, I’d be there, no question. I hesitate, in part, because of my gut sense and concern there’s no big there there.”

Page, who was asked about this text during her July 2018 testimony, said, “So I think this represents that even as far as May of 2017, we still couldn’t answer the question.”

James Baker, who was questioned about the Strzok text, was then asked if he’d seen any evidence to the contrary. He stumbled a bit in his reply:

Rep. Meadows: *“Do you have any evidence to the contrary that you observed personally in your official capacity?”*

Mr. Baker: *“So the difficulty I’m having with your question is, what does ‘collusion’ mean, and what does ‘prove’ mean? And so I don’t know how to respond to that.”*

FBI Leadership Speculates on New Trump–Russia Collusion Narrative

In his testimony, Baker disclosed the actual substance of discussions taking place at the upper echelons of the FBI immediately following Comey’s firing—that Vladimir Putin had ordered Trump to fire Comey:

Mr. Baker: *“We discussed, so to the best of my recollection, with the same people I described earlier: Mr. McCabe, possibly Mr. Gattis [Carl Ghattas, executive assistant director of the National Security Branch], Mr. Priestap, possibly Lisa Page, possibly Pete Strzok. I don’t remember that specifically.”*

Rep. Ratcliffe: *“So there was—there was a discussion between those folks, possibly all of the folks that you’ve identified, about whether or not President Trump had been ordered to fire Jim Comey by the Russian Government?”*

Mr. Baker: *“I wouldn’t say ordered. I guess I would say the words I sort of used earlier, acting at the behest of and somehow following directions, somehow executing their will, whether—and so literally an order or not, I don’t know. But—”*

Rep. Ratcliffe: *“And so—”*

Mr. Baker: *“As a—it was discussed as a theoretical possibility.”*

Rep. Ratcliffe: *“When was it discussed?”*

Mr. Baker: *“After the firing, like in the aftermath of the firing.”*

The FBI, with no actual evidence of collusion after 10 months of investigating, began discussing a complete hypothetical at the highest levels of leadership as a means to possibly open an obstruction-of-justice investigation of the president of the United States.

During his testimony, Baker told lawmakers: “I had a jaundiced eye about everything, yes. I had skepticism about all this stuff. I was concerned about all of this. This whole situation was horrible, and it was novel and we were trying to figure out what to do, and it was highly unusual.”

McCabe was later fired for lying to the DOJ inspector general and is currently the subject of a criminal grand jury investigation.

The Fixer

Despite the ongoing assault from the intelligence community and holdovers from the Obama administration, Trump was not entirely without allies.

Dana Boente, one of the nation’s highest-profile federal prosecutors, served in a series of critical shifting roles within the Trump administration. Boente, who remained the U.S. attorney for the Eastern District of Virginia until early 2018, concurrently became the acting attorney general following the firing of Sally Yates. Boente, who was specifically appointed by Trump, was not directly in the line of succession that had been previously laid out under an unusual executive order from the Obama administration.

Upon the confirmation of Sessions as attorney general, Boente next served as acting deputy attorney general until the confirmation of Rod Rosenstein as deputy attorney general on April 25, 2017. Boente then [became](#) the acting head of the DOJ’s National Security Division on April 28, 2017, following the sudden resignation of Mary McCord.

Boente was appointed as FBI general counsel on Jan. 23, 2018, replacing Baker, who was demoted and reassigned. Baker is currently the subject of a criminal leak investigation. Boente remains in his position as FBI general counsel.

On March 31, 2017, the Trump administration asked for the resignations all 46 holdover U.S. attorneys from the Obama administration. Trump refused to accept the resignations of just three of them—Boente, Rosenstein, and John Huber.

As Sessions noted in a [March 29, 2018, letter](#) to congressional chairmen Chuck Grassley, Bob Goodlatte, and Trey Gowdy, Huber was assigned by Sessions to lead a prosecution team and is currently working with DOJ Inspector General Michael Horowitz:

"I already have directed senior federal prosecutors to evaluate certain issues previously raised by the Committee. ... Specifically, I asked United States Attorney John W. Huber to lead this effort."

John Carlin's Race With Admiral Rogers

The Carter Page FISA application has been the subject of significant media attention, but there's another element to the story that, although largely ignored, is equally important. It involved what amounted to a surreptitious race between then-NSA Director Adm. Mike Rogers and DOJ National Security Division (NSD) head John Carlin.

Following a March 9, 2016, discovery that outside contractors for the FBI had been accessing raw FISA data since at least 2015, Rogers directed the NSA's Office of Compliance to conduct a "fundamental baseline review of compliance associated with 702" at some point in early April 2016 ([Senate testimony](#) & [pages 83–84](#) of court ruling).

On April 18, 2016, Rogers moved aggressively in response to the disclosures. He abruptly shut down all FBI outside-contractor access. At this point, both the FBI and the DOJ's NSD became aware of Rogers's compliance review. They may have known earlier, but they were certainly aware after outside-contractor access was halted.

The DOJ's NSD maintains oversight of the intelligence agencies' use of Section 702 authority. The NSD and the Office of the Director of National Intelligence (ODNI) jointly conduct reviews of the intelligence agencies' Section 702 activities every 60 days. The NSD—with notice to the ODNI—is required to report any incidents of agency noncompliance or misconduct to the FISA court.

Instead of issuing individual court orders, the attorney general and the director of national intelligence (DNI) are required by [Section 702](#) to provide the Foreign Intelligence Surveillance Court (FISC) with annual certifications that specify categories of foreign intelligence information the government is authorized to acquire, pursuant to Section 702.

The attorney general and the DNI also must certify that Intelligence Community agencies will follow targeting procedures and [minimization procedures](#) that are approved by the FISC as part of the certification.

Carlin filed the government's proposed [2016 Section 702 certifications](#) on Sept. 26, 2016. Carlin knew the general status of the compliance review by Rogers. The NSD was part of the review. Carlin failed to disclose a critical Jan. 7, 2016, [report by the NSA inspector general](#) and associated FISA abuse to the FISA court in his 2016 certification. Carlin also failed to disclose Rogers's ongoing Section 702-compliance review.

On Sept. 27, 2016, the day after he filed the annual certifications, Carlin announced his [resignation](#), which would become effective on Oct. 15, 2016.

On Oct. 4, 2016, a standard follow-up court hearing was held ([Page 19](#)), with Carlin present. Again, he made no disclosure of FISA abuse or other related issues. This lack of disclosure would be noted by the court later in the April 2017 ruling:

"The government's failure to disclose those IG and OCO reviews at the October 4, 2016 hearing [was ascribed] to an institutional 'lack of candor.'"

On Oct. 15, 2016, Carlin formally left the NSD.

On Oct. 20, 2016, Rogers was briefed by the NSA compliance officer on findings from the 702 NSA compliance audit. The audit had uncovered a large number of issues, including numerous "about query" violations ([Senate testimony](#)).

Rogers shut down all "about query" activity on Oct. 21, 2016. "About queries" are particularly worrisome, since they occur when the target is neither the sender nor the recipient of the collected communication; rather, the target's "query," such as an email address, is being passed between two other communicants.

On the same day, the DOJ and FBI sought and received a Title I FISA warrant on Trump campaign adviser Carter Page. At this point, the FISA court still was unaware of the Section 702 violations.

On Oct. 24, 2016, Rogers verbally informed the FISA court of his findings:

"On October 24, 2016, the government orally apprised the Court of significant non-compliance with the NSA's minimization procedures involving queries of data acquired under Section 702 using U.S. person identifiers. The full scope of non-compliant querying practices had not been previously disclosed to the Court."

Rogers appeared formally before the FISA court on Oct. 26, 2016, and presented the written findings of his audit:

"Two days later, on the day the Court otherwise would have had to complete its review of the certifications and procedures, the government made a written submission regarding those compliance problems ... and the Court held a hearing to address them.

"The government reported that the NSA IG and OCO were conducting other reviews covering different time periods, with preliminary results suggesting that the problem was widespread during all periods under review."

The FISA court was unaware of the FISA "query" violations until they were presented to the court by then-NSA Director Rogers.

Carlin didn't disclose his knowledge of FISA abuse in the annual Section 702 certifications, apparently in order to avoid raising suspicions at the FISA court ahead of receiving the Carter Page FISA warrant.

The FBI and the NSD were literally racing against Rogers's investigation in order to obtain a FISA warrant on Carter Page.

FISA Abuse & the FISC

Rogers presented his findings directly to the FISA court's presiding judge, Rosemary Collyer. Collyer and Rogers would work together for the next six months, addressing the issues that Rogers had uncovered.

It was Collyer who wrote the [April 26, 2017, FISA court ruling](#) on the entire episode. It also was Collyer who signed the original FISA warrant on Carter Page on Oct. 21, 2016, before being apprised of the many issues by Rogers.

The litany of abuses described in the April 26, 2017, ruling was shocking and detailed the use of private contractors by the FBI in relation to Section 702 data. Collyer referred to it as “a very serious Fourth Amendment issue.” The FBI was specifically singled out by the court numerous times in the ruling:


“The improper access previously afforded the contractors has been discontinued. The Court is nonetheless concerned about the FBI’s apparent disregard of minimization rules and whether the FBI may be engaging in similar disclosures of raw Section 702 information that have not been reported.”

Rogers informed Collyer of the ongoing FISA abuses by the FBI and NSD just three days after she personally signed the Carter Page FISA warrant.


Virtually every FBI and NSD official with material involvement in the original Carter Page FISA application would later be removed—either through firing or resignation.

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