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*appointment was the result of private conversations with our president. Of course, this provides additional opportunities to promote our thoughts and ideas. . . . However, I can write that in connection with the now changed situation, he recommended that I expand my participation in conferences and meetings in the political circles of the US Republican Party as much as possible. There will be a day soon when new leadership will need a trusted dialogue between our countries. For help and advice on this issue, he recommended (which I totally agree!) to look only to you.*<sup>3854</sup>

(U) Two weeks later, Butina was invited to two events scheduled for February 26, hosted by *The Washington Times* during the CPAC conference.<sup>3855</sup> Erickson sent Butina an email the next day attaching a photo of her and Walker from one of the events.<sup>3856</sup>

(U) Following Torshin's recommendation, Butina formalized her plan in a document that she subsequently translated using Google-Translate and emailed to Erickson on March 24, 2015.<sup>3857</sup> The subject line of the email was "The Second Pozner," a reference to a Soviet Union spokesperson who Butina described as "the unofficial transmitter of Gorbachev's and Yeltsin's policies in the US."<sup>3858</sup> In it, Butina described a plan, entitled in the email as "Project Description: Diplomacy," to use her connections with the NRA to create an "informal channel of communication" with the next U.S. presidential administration, which she predicted would be a Republican one, for the benefit of the Russian government; she also requested funding for the project.<sup>3859</sup>

(U) In the document, Butina described the perceived centrality of the NRA to Republican Party politics, her own connections with NRA leadership (specifically Keene), and touted her interactions with leading Republican Party presidential candidates:

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<sup>3854</sup> (U) Email, Butina to Keene and Keene, February 10, 2015 (PAE0002077, 2084).

<sup>3855</sup> (U) Email, D. Keene to Butina, February 24, 2016 (PAE0000248); Email, D. Keene to Butina, February 24, 2016 (PAE0000271). At the time, Keene served as an opinion editor of *The Washington Times*. Keene Tr., p. 7.

<sup>3856</sup> (U) Email, Erickson to Butina, February 26, 2015 (PAE0001353); Email, Butina to Erickson, April 14, 2015 (PAE0001952).

<sup>3857</sup> (U) Email, Butina to Erickson, March 24, 2015 (PAE0002573, 2560–2565). A Russian version was separately translated and provided as an exhibit to the government's sentencing memorandum in Butina's criminal case. The wording is similar, but not identical. See United States' Memorandum in Aid of Sentencing, *United States v. Mariia Butina*, 1:18-cr-00218-TSC (D.D.C. April 19, 2019), and Exhibit 3 thereto. In one line in the government's exhibit, Butina writes: "The [Republican Party] leadership sees a connection: 'Spokesperson - [redacted] – access to VVP,'" but the translation is not as clear in the Committee's Google-translated version. *Ibid.* (bold in original).

<sup>3858</sup> (U) United States' Memorandum in Aid of Sentencing, *United States v. Mariia Butina*, 1:18-cr-00218-TSC (D.D.C. April 19, 2019), Exhibit 3.

<sup>3859</sup> (U) Email, Butina to Erickson, March 24, 2015 (PAE0002573, 2560–2565).

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*During [her] recent visits to events in the United States RP [Republican Party] speaker [Butina] was presented to all the main leaders of the top of the RP as a “representative of informal diplomacy” of the Russian Federation. Also took her personal acquaintance with Scott Walker and all candidates presidential primary RP.*<sup>3860</sup>

(U) Butina summarized her activities in the United States and then wrote, in bold: **“Thus the groundwork for reliable contact in negotiating with the future US administration can be said to have been laid.”**<sup>3861</sup> Under the header “Next Steps,” Butina continued by identifying her plan to develop contacts with the Republican Party leadership:

*Speaker [Butina] should take part in all upcoming major conferences RP (about 1 time per month in different cities across the US – the list is attached below in Appendix 2), to act in the American press as an expert on Russia and have regular contact with the leadership of the [Republican Party].*<sup>3862</sup>

(U) Butina concluded the description with a request for funding in the amount of \$125,000 to attend a series of Republican-focused conferences and interface with Russian government and business figures to understand their interests.<sup>3863</sup>

(U) Several days later, Erickson responded that he “underst[oo]d your need to discuss with your Russian patrons/sponsors your potential contacts in America with political, media and business leaders.”<sup>3864</sup> He added:

*Your challenge in your “special project” will be to balance two opposing imperatives: Your desire to communicate that you speak for Russian interests that will be ascendant (still around) in a post-Putin world while simultaneously doing nothing to criticize the President or speed the arrival of his successor. . . . [A]s with the media contacts, there is NO limit as to how many American companies that you can meet—at the highest levels—if you are able to represent that you are a potential line of communication into future Russian Federation governments.*<sup>3865</sup>

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<sup>3860</sup> (U) Email, Butina to Erickson, March 24, 2015 (PAE0002561).

<sup>3861</sup> (U) United States’ Memorandum in Aid of Sentencing, *United States v. Mariia Butina*, 1:18-cr-00218-TSC (D.D.C. April 19, 2019), Exhibit 3 (bold in original).

<sup>3862</sup> (U) Email, Butina to Erickson, March 24, 2015 (PAE0002562).

<sup>3863</sup> (U) Email, Butina to Erickson, March 24, 2015 (PAE0002561).

<sup>3864</sup> (U) Email, Erickson to Butina, March 29, 2015 (PAE0000678).

<sup>3865</sup> (U) *Ibid.*

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(U) In addition to recommending certain networking opportunities to further Butina’s “diplomacy” project, Erickson also organized her travel through the United States that summer. The trip included stops in South Dakota to visit Erickson’s home and a youth camp engagement; Nevada for FreedomFest, Wisconsin for Scott Walker’s campaign announcement, and Tennessee for, among other things, dinner with G. Kline Preston, before returning to Moscow.<sup>3866</sup>

(U) Erickson was not alone in providing travel recommendations to Butina. In March 2015, Donna Keene sent Butina a list of “Key Conservative Meeting Dates” from the Conservative Action Project. That email included apparent recommendations and notes from the Keenes, and Erickson was copied on the email.<sup>3867</sup>

(U) Butina later made her pitch for Republican Party cooperation with Russia in a June 12, 2015, article she published with *The National Interest*, entitled “The Bear and the Elephant.”<sup>3868</sup>

**ii. (U) Butina and Torshin Attend the 2015 NRA Convention and Meet Scott Walker**

(U) In April 2015, Butina and Torshin traveled to Nashville, Tennessee to attend the NRA’s annual meetings. Erickson helped to arrange the trip and communicated with the NRA about Butina and Torshin’s travel plans.<sup>3869</sup> Nick Perrine, assistant to the NRA’s President,<sup>3870</sup> handled the itinerary.<sup>3871</sup> Formal invitations for Butina and Torshin were provided by the NRA presumably to assist with obtaining visas.<sup>3872</sup>

(U) Prior to the NRA event, the Center for National Interest (CNI), a conservative public policy think tank, arranged meetings and a lunch for Torshin and Butina with several U.S. Government officials and other individuals.<sup>3873</sup> Meetings were scheduled with Stanley Fischer, vice-chairman of the Federal Reserve; Nathan Sheets, the Under Secretary of Treasury for

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<sup>3866</sup> (U) “Maria’s Trip to the U.S.A.,” (PAE0000714). The Committee assesses, based on the use of Butina’s initials and the timing, that Erickson caused \$8,000 to be wired to one of Butina’s bank accounts shortly before the trip. See Indictment, *United States v. Paul Erickson*, 4:19-cr-40015 (D.S.D. November 18, 2019).

<sup>3867</sup> (U) Email, Keene to Butina and Erickson, March 16, 2015 (PAE0000195).

<sup>3868</sup> (U) Maria Butina, “The Bear and the Elephant,” *The National Interest*, June 12, 2015. Butina shared the article with Keene after it was published. Email, Butina to Keene, June 17, 2015 (PAE0002535–2536). *The National Interest* is published by The Center for National Interest (CNI).

<sup>3869</sup> (U) Email, Erickson to Butina, April 1, 2016 (PAE0000269).

<sup>3870</sup> (U) Keene Tr., p. 189.

<sup>3871</sup> (U) Emails, Perrine and Butina, March 16–March 26, 2016 (PAE0000386–394).

<sup>3872</sup> (U) See Letter, Land to Butina, February 5, 2015 (NRA Production, 000001); Letter, Land to Torshin, February 5, 2015 (NRA Production 000002).

<sup>3873</sup> (U) Email, Saunders to Torshin, April 5, 2015 (PAE0000414–415).

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International Affairs; and Randy Weber, a Republican member of the House Foreign Affairs Committee.<sup>3874</sup> The CNI lunch, which took place on April 7, was led by Hank Greenberg, and attended by David Keene, Grover Norquist, and several other individuals from CNI, including Dmitri Simes, Richard Burt and Paul Saunders.<sup>3875</sup> Simes, the President and CEO of CNI, had previously met Torshin on a trip to Moscow.<sup>3876</sup> In an email to K.T. McFarland, who later joined the Trump Transition Team and eventually became the Deputy National Security Advisor, Erickson described the lunch as a “Russian star Chamber” of guests” to provide “[d]eep briefings ahead of the Russian ‘invasion’ of the NRA Annual Meeting in Nashville at the end of the week.”<sup>3877</sup> Afterwards, Torshin met with Greenberg and two associates to discuss “Russia’s economic situation” and the ITB (Investtorgbank), a Russian bank where Greenberg had made a significant financial investment that was proving problematic.<sup>3878</sup>

(U) Butina and Torshin flew from Washington, D.C., to Nashville on the evening of April 7, 2015. On April 8, at Keene’s invitation, Torshin gave remarks at the NRA’s Charlton Heston Recognition Dinner that Keene summarized as, “Thank you. I’m so honored to be

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<sup>3874</sup> (U) *Ibid.*; Email, Saunders to Butina, April 4, 2015 (PAE0000392); “Events for Mr. Alexander Torshin & Ms. Maria Butina” (PAE0002077).

<sup>3875</sup> (U) Email, Saunders to Torshin, April 5, 2015 (PAE0000414–415); Email, Negrouk to Butina (PAE0000401, 409–410).

<sup>3876</sup> (U) Simes Tr., 120–121.

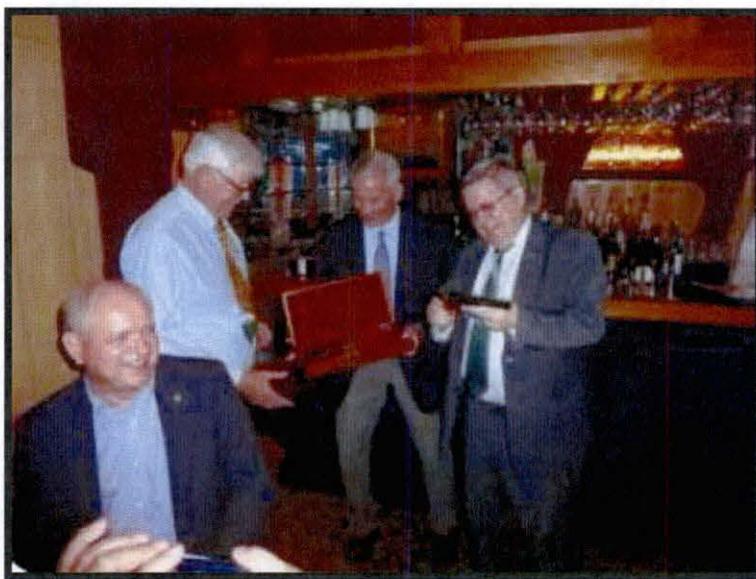
<sup>3877</sup> (U) Email, Erickson to McFarland, April 4, 2015 (PAE0001227).

<sup>3878</sup> (U) Email, Saunders to Torshin, April 5, 2015 (PAE0000414–415). A fund run by Greenberg, Starr Foundation, had invested in ITB in 2008, according to open sources. See “Westerners shell out Rub 5 bln for 40% of Investtorgbank,” *Banki.ru*, June 27, 2008. In August 2015, several months after Torshin’s meeting with Greenberg, Erickson emailed Greenberg with research by Butina on questions Greenberg “had raised on the call” that morning about the Russian Central Bank. Email, Erickson to Greenberg, cc: Butina, August 3, 2015 (MB 0003861). Butina indicated that Simes later engaged Torshin (and to a lesser extent, Butina) in an unsuccessful effort to help Greenberg’s financial position with ITB. Butina Tr., pp. 109–110 (stating that Butina instructed Simes and Greenberg to use her as a conduit to Torshin). In Butina’s November 2016 messages with Torshin, they discussed ways to stem Simes’s calls to Torshin on the ITB matter. See Twitter direct messages, Butina and Torshin, November 17, 2015. For his part, Simes became wary of Butina after she appeared to him in various roles—at first as a translator for Torshin, then later as substantively involved with Torshin and the Central Bank. Simes Tr., pp. 125–127. In November 2016, Butina told Torshin that Simes “gave a direct order to his staff to not talk to me under the threat of being fired. He says I work for the SVR.” Twitter direct messages, Butina and Torshin, November 13, 2015 (Direct messages between Butina and Torshin were originally produced by Butina to the Committee in Russian and then translated). Simes similarly testified to the Committee that he had expressed significant reservations about Butina: “I could not understand—I did not know and I don’t want to say more than I know, because I cannot say with any degree of confidence that any of them, particularly Ms. Butina, were Russian intelligence agents. What I knew, that she was not what she was trying to pretend to be, particularly because she clearly had multiple personalities in her discussions with Americans.” Simes Tr., p. 128. Simes described his last interaction with Butina, in which Butina invited him to dinner to talk about the Central Bank. He declined, but she insisted, saying she had “something important to share,” and so he agreed to meet her at his office. But Butina then arrived at CNI with Paul Erickson and again they invited him to dinner; Simes refused, cut the meeting short, and directed his staff not to let her into CNI again. *Ibid.*, pp. 126–127.

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here.”<sup>3879</sup> Butina translated for Torshin.<sup>3880</sup> Torshin was the only foreign official at the dinner, although Keene claimed that others had attended in the past.<sup>3881</sup> Butina and Torshin were also slated to attend the Ring of Freedom reception on April 9 before being hosted by Keene for dinner that night.<sup>3882</sup>

(U) During the Nashville convention, Keene gave a replica of a Civil War revolver to Torshin; Keene further suggested that they use the diplomatic pouch to help Torshin get it back to Russia.<sup>3883</sup> Torshin rejected the idea.<sup>3884</sup> In chats with Butina, Torshin later asked about the revolver’s make and year issued for shipment to Russia.<sup>3885</sup> A photograph captures Keene (second from left) presenting a revolver to Torshin (far right)<sup>3886</sup>:



(U) Their itinerary also included attendance at the ILA (Institute for Legislative Action) Leadership Forum, which Keene described as a forum for political speakers that is hosted by the

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<sup>3879</sup> (U) Keene Tr., pp. 95–96; Email, Perrine to Butina, March 20, 2015 (PAE0000387); Email, Perrine to Butina, April 4, 2015 (PAE0000690).

<sup>3880</sup> (U) *Ibid.*, p. 96.

<sup>3881</sup> (U) *Ibid.*

<sup>3882</sup> (U) Email, Perrine to Butina, April 4, 2015 (PAE0000690, 699) (attaching events schedule).

<sup>3883</sup> (U) Keene Tr., pp. 162–163.

<sup>3884</sup> (U) *Ibid.*

<sup>3885</sup> (U) Twitter direct messages, Torshin and Butina, July 10–23, 2015.

<sup>3886</sup> (U) Twitter direct message, Butina to Torshin, August 9, 2015 (MB 0000106).

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NRA's political lobbying arm.<sup>3887</sup> Torshin later posted on Twitter that he had met Trump.<sup>3888</sup> Keene did not have any personal knowledge as to whether Torshin and Butina attended the forum or whether Torshin in fact met Trump.<sup>3889</sup> The Committee has no further information on whether Torshin met Trump.

(U) Butina and Torshin were specifically interested in meeting U.S. Government officials at the NRA meetings. Butina asked the NRA for "a list of U.S. Governors or Members of Congress that might be present at some time during the Annual Meeting."<sup>3890</sup> Perrine responded with a link to a list of Republican politicians who planned to attend the NRA-ILA leadership forum.<sup>3891</sup> Butina later shared with Erickson a file of "all the important people [they would] meet," which she called "The VIP Presentation."<sup>3892</sup> Neither Butina nor Erickson produced this file to the Committee.

(U) At one reception during the convention, Keene introduced Torshin and Butina to Scott Walker. Keene, who is from Wisconsin, was supporting Walker's candidacy at the time.<sup>3893</sup> Keene said he did not recall which reception it was or whether he had invited them to the reception in the first place.<sup>3894</sup> Butina and Torshin presented Walker with a gift from Russia and spoke to Walker briefly.<sup>3895</sup> Butina described their conversation with Walker as "small talk," but acknowledged that she expressed her desire for "good relations" between Russia and the United States.<sup>3896</sup> An email she later sent to Erickson, translated from Russian, was more detailed: "We talked about Russia, any aggression against our country, the president or my countrymen I have not heard. Who knows, maybe such a meeting is the beginning of a new dialogue between Russia and the United States and back from the Cold War to a peaceful existence of the two great powers?!"<sup>3897</sup>

(U) Butina and Torshin remained interested in Walker's political prospects. Later that summer, on July 13, Butina and Erickson flew to Wisconsin to attend Scott Walker's official

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<sup>3887</sup> (U) Keene Tr., pp. 97–98.

<sup>3888</sup> (U) Tweet, @torshin\_ru, August 23, 2015. According to public reporting, Torshin also claimed that Trump said to him: "You're from Russia. When are you going to invade Latvia?" Tim Dickinson, "Inside the Decade-Long Russian Campaign to Infiltrate the NRA and Help Elect Trump," *Rolling Stone*, April 2, 2018.

<sup>3889</sup> (U) *Ibid.* Emails indicated Torshin and Butina offered to provide an item for the ILA auction, which the ILA declined. Emails, Butina and Perrine, March 23, 2015 (PAE0002914–2915).

<sup>3890</sup> (U) Email, Butina to Perrine, March 20, 2015 (PAE0002917).

<sup>3891</sup> (U) Email, Perrine to Butina, March 20, 2015 (NRA Production, 0000775).

<sup>3892</sup> (U) Email, Butina to Erickson, April 5, 2015 (PAE0001324).

<sup>3893</sup> (U) Keene Tr., pp. 99–100.

<sup>3894</sup> (U) *Ibid.*, pp. 101–02.

<sup>3895</sup> (U) Butina Tr., p. 136.

<sup>3896</sup> (U) *Ibid.*, pp. 142–43.

<sup>3897</sup> (U) Email, Butina to Erickson, April 24, 2015 (PAE0000380–381). The email suggests that this text was to be used in a blog post about the meeting, based on a decision by Torshin.

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announcement of his candidacy for president. Judging from a photo Erickson later sent to Butina, Butina met former Senator Jim Talent, Walker's national security advisor, at the event.<sup>3898</sup> Butina kept Torshin apprised of developments with Walker, telling him of her plans to attend the announcement and asking for the Russian Federation's view of his candidacy. Torshin replied, "no one is even looking in that direction. You will be the creator of something sensational, God Willing!" In a chat the next day with Torshin, Butina wrote: "Impressed. His chances are very high."<sup>3899</sup>

(U) At Torshin's request, Butina provided an analytical assessment of Walker's announcement and prospects for the Republican nomination.<sup>3900</sup> In a paper titled "US Republican Party candidate Scott Walker's announcement on joining the presidential race, analysis of the election campaigns, and a preliminary forecast," Butina provided historical background on Walker's political career and assessed his chances at winning the nomination. She also described an interaction with him and touted her prior contacts:

*After the event, Mariya Butina had an opportunity for a short personal contact with Walker . . . . As a reminder, Mariya Butina has had personal contact with Walker more than once, taking part in his private reception under the Framework of The Conservative Union annual conference in Washington as well as in a private meeting at the annual gathering of members of the USA National Rifle Association (the NRA) in 2015.<sup>3901</sup>*

(U) Butina was not the only Russian government representative making inroads with the NRA. In 2015, Ambassador Kislyak interacted repeatedly with NRA leadership. In mid-June, Kislyak hosted Keene for lunch at the Russian Embassy. Keene recalled that the two spoke about the NRA museum and the possibility of Keene helping Kislyak with his duck hunting on the Eastern Shore of Maryland.<sup>3902</sup> Ambassador Kislyak later visited the NRA on August 20, 2015, where he met with Allan Cors and David Keene.<sup>3903</sup>

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<sup>3898</sup> (U) Email, Erickson to Butina, July 13, 2015 (MB 0007286-88).

<sup>3899</sup> (U) Twitter direct messages, Butina and Torshin, July 13-14, 2015.

<sup>3900</sup> (U) Twitter direct messages, Butina and Torshin, July 14, 2015.

<sup>3901</sup> (U) Twitter direct messages, Butina and Torshin, July 14, 2015. Butina's descriptions of her activities, as conveyed in these analytical papers, were often written in the third person.

<sup>3902</sup> (U) Keene Tr., p. 176.

<sup>3903</sup> (U) Email, Holden to Staples, August 20, 2015 (NRA Production, 000026) (providing "daily report" noting that at 10:34 a.m. "The Russian Ambassador Sergey Kiflyak [sic] is on site. I escorted him to the South tower and stayed with him until Mr. Cors, Mr. Keene and Nick Perrine arrived."); Emails, Keene and Melnik (Chief of Staff to Kislyak), August 17, 2017 (NRA Production, 0003680) (agreeing to August 20 visit).

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(U) In mid-June, Butina inquired about Keene’s lunch with Kislyak, and Keene gave her a read-out.<sup>3904</sup> It was not clear when or how Butina had learned of the lunch, or if she was involved in arranging it. When asked, Butina speculated that Keene and Kislyak may have met through a pre-existing project to promote Russian culture by the *The Washington Times*, where Keene worked, in connection with the Russian Embassy.<sup>3905</sup> But she also recalled meeting Kislyak in person and talking with him “about the NRA, and I told [him] that, look, these are great guys and why wouldn’t you have communication and talk to them?”<sup>3906</sup>

(U) Butina’s contemporaneous notes of a May 2015 meeting with Kislyak, obtained by the FBI via a search of her computer, suggest that Butina and Kislyak had a detailed conversation related to U.S. politics. For example, Butina told Kislyak she would “send the name of the advisor [to Scott Walker] who can come to Moscow.”<sup>3907</sup> The notes also suggested that Kislyak expressed his belief that the NRA could “become one of the points of cooperation” and wanted to meet with Keene; Butina agreed to send him Keene’s contact information.<sup>3908</sup> Based on this, the Committee found it likely that Butina was involved in arranging the meeting and provided Kislyak and the Russian government with details about Keene and the NRA.

**iii. (U) Butina Attends the FreedomFest Convention**

(U) In July 2015, Butina attended the libertarian FreedomFest convention in Las Vegas with Erickson. Erickson helped to secure an invitation for Butina and registered them for private events with Norquist, Dinesh D’Souza, and Peter Thiel.<sup>3909</sup> The formal invitation arrived on June 25.<sup>3910</sup>

(U) Although it did not initially appear on her schedule, Butina attended a speech by Trump and asked him whether, if elected president, he would continue the sanctions imposed against Russia in 2014. Trump responded:

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<sup>3904</sup> (U) Email, Keene to Butina, June 17, 2015 (PAE0002535–2536).

<sup>3905</sup> (U) Butina Tr., pp. 58–59.

<sup>3906</sup> (U) *Ibid.*, p. 59.

<sup>3907</sup> (U) United States’ Memorandum in Aid of Sentencing, *United States v. Maria Butina*, Case 1:18-cr-00218-TSC, pp. 5–6, April 19, 2019, and Exhibit 5 thereto. Butina did not produce these notes to the Committee, and they were partially redacted in public filings. Butina may have been referring to Jim Talent, an advisor to the Walker campaign whom Butina had previously met.

<sup>3908</sup> (U) For example, the notes indicate that Kislyak informed Butina that he had attended a museum with a redacted name “when its office was in Washington.” United States’ Memorandum in Aid of Sentencing, *United States v. Maria Butina*, Case 1:18-cr-00218-TSC, pp. 5–6, April 19, 2019, and Exhibit 5 thereto. Keene told the Committee a similar story about his encounter with Kislyak, and relayed that Kislyak said that he would visit the old NRA museum during a prior tour in Washington, D.C., but that it had since moved, and he wanted to see the new one in Fairfax. Keene Tr., pp. 175–177

<sup>3909</sup> (U) Email, Erickson to Butina, June 25, 2015 (PAE0000468).

<sup>3910</sup> (U) Email, Dillon to Butina, June 25, 2015 (PAE0000112).

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*I know Putin, and I'll tell you what, we get along with Putin. . . . I believe I would get along very nicely with Putin, okay? And I mean where we have the strength. I don't think you'd need the sanctions.*

(U) In her interview with the Committee, Butina suggested that her question to Trump came about as pure happenstance, without anyone's assistance or tasking.<sup>3911</sup> Butina did tell the Committee, however, that she was excited by her ability to ask a question of Trump and called Torshin from the restroom, noting that it "was my best report."<sup>3912</sup> Erickson attended the event with Butina, and may have taken the picture Butina posted to her Twitter account the evening of July 11, with the Google-translated text: "Asked Donald Trump about his position on Russia. Trump is saying about mitigation of sanctions."<sup>3913</sup>

(U) During her time at FreedomFest, Butina also met Patrick Byrne, former CEO of Overstock.com, for the first time. Butina did not convey her interest in Byrne at FreedomFest to the Committee, noting that "someone was talking about Bitcoin, and there were some fresh ideas that I wanted to discover," but not mentioning Byrne by name.<sup>3914</sup> However, the Committee assesses that both Erickson and Butina viewed Byrne, at least initially, as a vector to yet another Republican presidential candidate, Senator Rand Paul.

(U) On July 9, 2015, Erickson sent Butina an email with a proposed draft message that she was to send to Byrne. The draft message thanked Byrne for greeting her at FreedomFest, and stated that "[Byrne's] remarks about the coming 'electronic' changes in our 21<sup>st</sup> Century economy were exciting." The email expressed Butina's desire to talk to Byrne about the kinds of reforms Russia should be embracing, stating that "[we] need ideas like yours that are foreign to a generation of leaders that tend to go back to old Soviet ways." The draft concluded by saying "I am at Freedom Fest until Sunday – maybe if you had 10 minutes in your schedule we could have coffee or a drink. I am thirsty for great ideas!"<sup>3915</sup>

(U) That evening, Erickson sent an email with the subject line "Byrne Me!" to Ralph Benko, suggesting that Erickson and Butina had attended the July 9 panel discussion about

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<sup>3911</sup> (U) Butina Tr., p. 243.

<sup>3912</sup> (U) *Ibid.*, 244.

<sup>3913</sup> (U) Email, Butina to Erickson, March 11, 2017 (MB 0004323–4324).

<sup>3914</sup> (U) Butina Tr., p. 241.

<sup>3915</sup> (U) Email, Erickson to Butina, July 9, 2015 (PAE0000082). The Committee only obtained Erickson's draft message. Neither Butina nor Erickson produced an actual email that was sent to Byrne, although other documents produced to the Committee suggest it, or something similar, was sent to Byrne. The time stamp for the email, and its equivalent in production from Butina, indicates Erickson sent the draft text to Butina on July 9, 2015. Email, Erickson to Butina, July 9, 2015 (MB0003883).

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Bitcoin at which Byrne was scheduled to speak.<sup>3916</sup> The email purported to provide the recipient a “quick report from the front[.]” In it, Erickson described how he greeted Byrne and discussed Overstock.com’s work with women in Afghanistan, and Byrne’s interest in Butina.<sup>3917</sup>

(U) Benko replied 20 minutes later, and suggested a more-than-passing knowledge of Butina, saying “Maria would capture the attention of any red blooded American.”<sup>3918</sup> He went on to describe Byrne’s potential importance to Paul’s campaign:

*Keep in the back of your (and maybe her) mind that Patrick has let himself be tapped by Rand to be Rand’s tech swami, good move by Rand, and. . . after eliminating the burst of notoriety by That Asshole The Donald, today’s polls have Rand tied with Jeb! and Rand is hanging in there in the top tier in the early primary states.  
You don’t have to believe that Rand is viable. . . Just believe that Patrick Believes.<sup>3919</sup>*

(U) Later that evening, Erickson forwarded the entire email chain to Butina, with a one sentence suggestion: “For your preparation!”<sup>3920</sup>

**iv. (U) Butina and Torshin Meet with Rep. Dana Rohrabacher in Moscow**

(U) In August 2015, Rep. Dana Rohrabacher traveled to Russia as part of a Congressional Delegation (CODEL). David Keene recommended that, during his trip, he meet with Torshin.<sup>3921</sup> To facilitate the introduction, Keene sent a letter to Torshin—through Butina—on July 17.<sup>3922</sup> Keene’s letter requested meetings for Rohrabacher with Torshin and other Russian government officials “who can brief them on the ways in which Washington and Moscow work together” in combating terrorism, and suggested a meeting with the Russian Foreign Minister.<sup>3923</sup> Butina translated the document and sent it to Torshin the next day over Twitter. Torshin agreed to the meeting.<sup>3924</sup>

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<sup>3916</sup> (U) FreedomFest 2015 schedule, [freedomfest2015.sched.com](http://freedomfest2015.sched.com).

<sup>3917</sup> (U) For example, Erickson wrote: “But when he met our Russian gun rights woman, Maria, his eyes lit up and his schedule cleared . . . they are discussing economic reforms in Russia in a private meeting tomorrow. I think we now know how to capture his attention . . . and it ain’t with women in burkas.” Email, Erickson to Benko, July 9, 2015 (MB0003888) (ellipses in original).

<sup>3918</sup> (U) Email, Benko to Erickson, July 9, 2015 (MB0003887).

<sup>3919</sup> (U) *Ibid.*

<sup>3920</sup> (U) *Ibid.* In addition to the language identified here, the Committee found further discussion of Byrne’s potential intimate involvement with or interest in Butina, as noted *infra*.

<sup>3921</sup> (U) Rohrabacher Tr., pp. 52–53.

<sup>3922</sup> (U) Twitter direct messages, Torshin and Butina, July 18, 2015.

<sup>3923</sup> (U) Letter, Keene to Torshin, July 17, 2015 (Keene Production, 000001–000002).

<sup>3924</sup> (U) Twitter direct messages, Torshin and Butina, July 18, 2015.

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(U) On August 3, ahead of the meeting, Torshin and Butina discussed Rohrabacher over Twitter direct message, and Torshin expressed his belief that Rohrabacher was “under the watch” of the Russian Foreign Ministry:

*Torshin: Mariya! Remind me once again the last name of the Congressional committee chair who is coming to see us?*

*Butina: Dana Rohrabacher.*

*Butina: Head of the subcommittee for international relations for Europe, Eurasia, and emerging threats*

*Torshin: Thanks! What do they write about him? How is he with respect to Russia?*

*Butina: A member of the NRA.*

*Butina: You won't believe it: he supports the annexation of Crimea to Russia.*

*Butina: He voted against financial support from the US to the new Ukrainian government*

*Butina: Against the US sanctions with respect to Russia, called them ridiculous.<sup>3925</sup>*

(U) Torshin later added:

*Torshin: Precisely for this reason I think that he is under the watch of the RF MFA.<sup>3926</sup>*

(U) Rohrabacher recalled that he met with Torshin and Butina for breakfast.<sup>3927</sup> In an email to Keene after the breakfast, Butina wrote: “We had a very good and important conversation. We are sure that it will be very helpful in building the future relations between the two countries.”<sup>3928</sup> Butina added that they “discussed with Dana that we could meet in the U.S.

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<sup>3925</sup> (U) Twitter direct messages, Torshin and Butina, July 28–August 3, 2015.

<sup>3926</sup> (U) Twitter direct messages, Torshin and Butina, August 3, 2015.

<sup>3927</sup> (U) Rohrabacher Tr., pp. 52–53.

<sup>3928</sup> (U) Email, Butina to Keene, August 6, 2015 (PAE0001998).

in October when I come next time and think about the actions we could do together.”<sup>3929</sup> She attached a photo from the meeting to her email<sup>3930</sup>:



v. (U) Butina and Torshin Host a 2015 NRA Trip to Moscow

(U) Butina and Torshin hosted Keene and several other NRA members, along with some family and additional guests, in Moscow from December 8 to December 13, 2015. The group of visitors included David Keene and Donna Keene; David Clarke, then Sheriff of Milwaukee County; Arnold Goldschlager; James Liberatore; Joseph Gregory; and Pete Brownell, the future NRA president.<sup>3931</sup>

(U) According to Keene, Butina and Torshin had proposed the trip.<sup>3932</sup> Butina explained that she and Torshin believed it was “very important to return the hospitality” from their NRA

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<sup>3929</sup> (U) *Ibid.*

<sup>3930</sup> (U) Email, Butina to Keene, August 6, 2015 (PAE0001991) (attaching a photograph) (redactions not in original).

<sup>3931</sup> (U) List of trip participants (MB 0004811). Clarke’s wife, Goldschlager’s daughter, and Liberatore’s wife also attended.

<sup>3932</sup> (U) Keene Tr., pp. 120–121.

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visits and to invite the NRA to Russia.<sup>3933</sup> Butina recalled sending an email to Keene to propose that members of the NRA's Golden Ring of Freedom spend time in Moscow as part of a scheduled NRA trip to Israel.<sup>3934</sup> In early August, Keene shared with Butina an "initial list" of individuals he was considering inviting.<sup>3935</sup>

(U) On August 12, Torshin and Butina discussed the NRA's plans over private Twitter messages, including the possibility of hosting "high level meetings" in Moscow if the NRA delegation was sufficiently "respectable."<sup>3936</sup>

(U) By September, Butina was preparing for the NRA visit, buying the tickets, and creating a list of participants to send to Torshin.<sup>3937</sup> Butina emphasized the need for politically-connected people to participate in the NRA's trip. In October, Butina contacted Erickson for support on identifying political elites. She wrote: "I strongly need the information about how are people below important POLITICALLY to make the NRA trip and their meetings in . . . you know where . . . ." <sup>3938</sup> She asked specifically about Cors, Keene, Goldschlager, and Liberatore.<sup>3939</sup> She stressed: "I do not need bio. I need how influential they are in the USA politics."<sup>3940</sup> Butina also extended an invitation to Pete Brownell in late October, suggesting that he could join the NRA delegation and, while in Moscow, meet with Russian gun manufacturers and retailers for business.<sup>3941</sup> Brownell agreed to join the trip on November 24.<sup>3942</sup>

(U) Butina was concerned that Cors might be unable to attend. On November 13, Butina emailed David and Donna Keene about the pending trip and highlighted several "high level special events" that Torshin had arranged, in part to persuade Cors to reconsider attending: "Many of these very high level special events were granted to us because these Russian figures were going to meet the 'head of the most powerful political organization in America.'" <sup>3943</sup>

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<sup>3933</sup> (U) Butina Tr., p. 147.

<sup>3934</sup> (U) Butina Tr., pp. 147–48.

<sup>3935</sup> (U) Email, Keene to Butina, August 6, 2015 (MB 0003863). The list included Joe Gregory, Chairman of the NRA Golden Ring of Freedom; Allan Cors, NRA President; George Kollitides, former President and CEO of the "Freedom Group" and an NRA Foundation Board member; Jim Liberatore, President and CEO of the Outdoor Channel who was interested in doing a "non-political short series of shows that he would tentatively call 'Putin's Russia' featuring the Russian outdoors, hunting, fishing and conservation efforts"; John Bolton; and Ed Goetas, a pollster.

<sup>3936</sup> (U) Twitter direct message, Torshin and Butina, August 12, 2015.

<sup>3937</sup> (U) Twitter direct message, Torshin and Butina, September 19, 2015. *See also* Email, Butina to Donna Keene, September 2, 2015 (MB 0004817).

<sup>3938</sup> (U) Email, Butina to Erickson, October 19, 2015 (PAE0000959).

<sup>3939</sup> (U) *Ibid.*

<sup>3940</sup> (U) *Ibid.*

<sup>3941</sup> (U) Email, Butina to Brownell, October 25, 2016 (MB 0004007).

<sup>3942</sup> (U) Email, Perrine to Butina, November 24, 2015 (NRA Production, Bates No. 0003293)

<sup>3943</sup> (U) Email, Butina to Keene, November 13, 2015 (PAE0002603–2605)

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(U) In her email to the Keenes, Butina emphasized several additional events, including private meetings with<sup>3944</sup>:

- (U) **Nikolai Patrushev**—“First Secretary of the Russian Security Counsel [sic] (the man that advises President Putin on a daily basis on all national security and military affairs—the equal to your «National Security Advisor»”);
- (U) **Dmitri Rogozin**— “First Deputy Prime Minister responsible for the production of ALL Russian arms—the unofficial leader of the Russian military industrial complex”;
- (U) **Pavel Gusev**— “leading media oligarch in all of Russia” who is “the unofficial media advisor to President Putin,” who would be in a position to “secure [Keene’s] interview with President Putin”<sup>3945</sup>;
- (U) **Igor Pisarsky**— “[t]he founder of the most important PR firm in Russia- who runs President Putin’s presidential campaigns”; and,
- (U) **Konstantin Nikolaev**— “the oligarch that has personally funded «The Right To Bear Arms» for several years.”

(U) Butina shared with the Keenes the purported belief of the Russian press, which she claimed was very interested in interviewing Cors, “that the NRA could influence American presidential politics and future relations with Russia.”<sup>3946</sup> Butina also implied to the Keenes that the Russian Presidential Administration was aware of, and monitoring, the NRA’s upcoming visit: “Many powerful figures in the Kremlin are counting on Torshin to prove his American connections – a last minute important member cancellation could affect his political future.”<sup>3947</sup>

(U) Butina’s contemporaneous messaging with Torshin reflected their interest in securing the participation of Russian government officials in the trip. On October 6, Butina sent Torshin an updated list of seven potential NRA delegation members, and discussed the agenda

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<sup>3944</sup> (U) *Ibid.*

<sup>3946</sup> (U) Email, Butina to Keene, November 13, 2015 (PAE0002603–2605).

<sup>3947</sup> (U) *Ibid.*

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for the visit, including meetings with Rogozin, Lavrov, and Nikolaev, and a “political program.”<sup>3948</sup>

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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<sup>3948</sup> (U) Twitter direct message, Torshin and Butina, October 6, 2015. The participant list from Butina included Cors and his wife; Gregory; Goldschlager and his daughter; and Keene and his wife.

<sup>3949</sup> [REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

(U) Keene told the Committee that he was particularly interested in seeing Putin and possibly interviewing him for *The Washington Times*.<sup>3950</sup> Keene made the request through Butina and Torshin.<sup>3951</sup> Keene, Torshin, and Butina may have discussed Keene's interest in the interview during dinner on October 28, at the University Club in Washington, D.C.<sup>3952</sup>

(U) On November 2, Butina and Torshin discussed Keene's request over Twitter direct message, as well as the other meetings being arranged for the NRA delegation to speak with Russian government officials:

*Butina: Do I ask Keene for an official letter to VVP [Vladimir Putin] from the newspaper? With a request for an interview. I am deciding about [Evgeny] Lukyanov.*

*Torshin: Lukyanov gave his consent (they are supposed to contact you), the relevant deputy minister of foreign affairs is very interested. He will coordinate the delegation's meeting in the MFA and will recommend a meeting to D. O. Rogozin. The publication issue is more complicated. There is a tradition that VV gives an interview to a particular foreign media outlet only on the eve of his visit to that media outlet's home country. I will look for Peskov. Request an interview with the President, Peskov, or Rogozin.*<sup>3953</sup>

(U) In mid-November, Torshin and Butina discussed the complications of setting up a meeting for the NRA delegation with Dmitry Rogozin, who was under U.S. sanctions. The NRA group expressed an interested in meeting with Rogozin despite the sanctions, so Butina and Torshin contemplated a less formal interaction to reduce the potential for violating sanctions:

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<sup>3950</sup> (U) Keene Tr., pp. 124–125.

<sup>3951</sup> (U) *Ibid.* Keene also told the Committee that Butina and Torshin also attempted to arrange a meeting with Putin's chief of staff so that Keene could to "make the personal appeal that way," but they were unsuccessful. *Ibid.*, p. 125–126.

<sup>3952</sup> (U) Calendar, David Keene, October 28, 2015 (Bates No. 000018); Emails, Erickson and Butina, October 27, 2015 (PAE0002029).

<sup>3953</sup> (U) Twitter direct message, Torshin and Butina, November 2, 2015.

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*Torshin: Hi! I spoke with Dmitriy Olegovich [Rogozin]. He is ready, but we can seriously “set up” the Americans. Since D.O. is under the American sanctions, the State Department does not recommend their people meet with him. There is a fine for this (S. [Steven] Segal was already fined for D.O.). D.O. said about FPR [Federation of Practice Shooting] that he would give the order to gather high profile people to the meeting. The conversation was polite and kind. A.T.*

*Butina: We discussed the topic about D.O. Our colleagues said that they still want a meeting. I suggest not making it such a formal function and inviting him to lunch or dinner?*

*Butina: This will smooth over the issue a little but it won't resolve it. I warned them.*<sup>3954</sup>

(U) Butina, as well as Erickson, advised the NRA group of the identities and status of the Russian government counterparts it might meet with during the visit. For example, in one email to the Keenes seeking to secure Cors's participation, Butina floated a “possible meeting with ‘Russia's highest leader’”—Vladimir Putin—if the “leader of the NRA” joined the delegation.<sup>3955</sup> In another email, Butina recommended against bringing gifts for four specific Russian government officials, including Rogozin and Lavrov.<sup>3956</sup> Erickson also sent an email about a meeting with “Russia's highest leader” to Brownell;<sup>3957</sup> Brownell responded to Erickson: “This would be a very interesting meeting”<sup>3958</sup> and forwarded it to Brownell's Director of Compliance to convey “the nature of the nra to Russia meeting.”<sup>3959</sup>

(U) The issue of sanctions also arose prior to the trip. In an email to Brownell on November 23, 2016, Erickson wrote:

*You (individually) would NOT be allowed to meet with Deputy Prime Minister Dmitry Rogozin – he appears at the top of the current Obama “sanctions list.” . . . For obvious reasons, the “Russian leader” whom I just wrote about is missing from this list . . . and you would NOT be barred from leading the delegation to the Kremlin for this meeting.*<sup>3960</sup>

<sup>3954</sup> (U) Twitter direct messages, Torshin and Butina, November 12– November 16, 2015.

<sup>3955</sup> (U) Email, Butina to David and Donna Keene, November 23, 2016 (Brownell Production 00086).

<sup>3956</sup> (U) Email, Butina to Donna Keene and Perrine, November 19, 2015 (PAE0001472–1473); *see also* Email, Perrine to Dewitt, December 8, 2016 (NRA Production 0001310–1312).

<sup>3957</sup> (U) Email, Erickson to Brownell, November 23, 2015 (Brownell Production 00052).

<sup>3958</sup> (U) Email, Brownell to Erickson, November 23, 2015 (Brownell Production 00053).

<sup>3959</sup> (U) Email, Brownell to McAllister, November 23, 2015 (Brownell Production 00781).

<sup>3960</sup> (U) Email from Erickson to Brownell, November 23, 2015 (Brownell Production 00053).

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(U) Overall, Keene was “comfortable with what [Butina] laid out” in the final itinerary.<sup>3961</sup> The NRA delegation arrived in Moscow on December 8.<sup>3962</sup> On December 9, members of the delegation met with Lavrov in his office. That day, Torshin informed Keene that the Putin interview would not happen, but asked if Keene would “like to stop by and see the foreign minister” for a courtesy meeting.<sup>3963</sup> According to Butina, Torshin pitched Lavrov based on the political benefits: “Torshin knows him. They suggested—how we showed this NRA trip was: Well, we have a chance to become friends with this country. Obama’s term is coming to the end. That would be a very good natural connection on that topic.”<sup>3964</sup> She also claimed it was beneficial for her organization to obtain high-profile meetings to show the NRA that she and Torshin had “influence.”<sup>3965</sup>

(U) Keene agreed to the Lavrov meeting, and took along a small group: Clarke, Gregory, Torshin, and Butina also attended.<sup>3966</sup> According to a tweet by Clarke, the discussion with Lavrov involved the Middle East,<sup>3967</sup> although Butina and Keene told the Committee that fishing and hunting were the focus.<sup>3968</sup> The conversation lasted approximately 20 minutes.<sup>3969</sup>

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<sup>3961</sup> (U) Keene Tr., p. 130. Keene made this comment when presented with a version of the itinerary that did not reference Rogozin or Putin. However, as noted, Keene had been trying to meet with Putin, and other itineraries he received prior to the trip, including a trip package prepared for him by NRA staff, included Rogozin and Lavrov. See, e.g., Email, Perrine to Keenes, November 25, 2016 (NRA Production 0003366–3388) (attaching itinerary).

<sup>3962</sup> (U) *Ibid.* Brownell arrived earlier than the rest of the group and met with various Russian gun manufacturers for business reasons. See Emails, Brownell and Perrine et al., November 27–28, 2015 (Brownell Production 00185–186); Emails, Butina and Brownell, November 27–December 4, 2015 (Brownell Production 00219–224, 290–294); Emails, Brownell and Nikolaeva, December 11, 2015 (Brownell Production 00320–321).

<sup>3963</sup> (U) Keene Tr., p. 127. In his interview, Keene made it sound like the Lavrov meeting was a surprise, but it appeared to have been on the schedule for some time. See, e.g., Email, Perrine to Keenes, November 25, 2016 (NRA Production 0003366–3388) (attaching itinerary).

<sup>3964</sup> (U) Butina Tr., pp. 157–158.

<sup>3965</sup> (U) *Ibid.*, p. 159.

<sup>3966</sup> (U) Keene Tr., p. 127; Butina Tr., pp. 155–156.

<sup>3967</sup> (U) Tweet, @SheriffClarke, December 10, 2015 (“Met earlier with Russian Foreign Minister who spoke on Mid East.”).

<sup>3968</sup> (U) Butina Tr., pp. 155–156; Keene Tr., pp. 132–134.

<sup>3969</sup> (U) According to Butina, this was because their arrival was delayed by Moscow traffic. Butina Tr., p. 158. Keene said it lasted only 20 minutes because Lavrov had a phone call with then-Secretary of State Kerry. Keene Tr., p. 135.

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(U) On December 9<sup>th</sup>, Pavel Gusev hosted dinner.<sup>3970</sup> Lunch was hosted by Pisarsky the next day, December 10.<sup>3971</sup> Nikolaev was scheduled to attend the lunch, but Keene did not recall meeting him.<sup>3972</sup>

(U) Other encounters with Russian government figures occurred on the last day of the trip, when the NRA group visited a Russian shooting club. One was a meeting with Rogozin, which, despite the months of planning and behind-the-scenes discussions, both Keene and Butina portrayed to the Committee as ultimately a coincidence. Keene recalled seeing Rogozin and Rogozin's wife during a tour of the facility, and then seeing them afterwards in the board room.<sup>3973</sup> According to Keene, the president of the board, Vitaly Kryuchin,<sup>3974</sup> "did the talking," and Rogozin spoke for less than a minute: "He said: Thank you for coming to our facility, we're happy to host you, and then turned it over to him [the president]."<sup>3975</sup> Igor Shchyogolev, a member of the board and aide to Putin, was scheduled to attend the reception.<sup>3976</sup> Like Rogozin, Shchyogolev was subject to U.S. sanctions resulting from Russian aggression in Ukraine.<sup>3977</sup>

(U) Keene was fully aware that Rogozin was subject to U.S. sanctions based on information in the press, but did not see that as a reason to avoid him.<sup>3978</sup> While Butina requested that no photos be taken, Rogozin permitted some pictures (including one of Brownell and Gregory), which he later published.<sup>3979</sup> Butina and Torshin were surprised by Rogozin's publication of the photographs, and expressed some concerns in private messaging that this would "create problems" for the American visitors.<sup>3980</sup>

(U) Butina said she expected the group would meet with Rogozin and had made such a request, but was not sure it would happen "until the last moment."<sup>3981</sup> However, she downplayed

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<sup>3970</sup> (U) Keene Tr., p. 137; Butina, "THE PROGRAM of the visit of the delegation from The National Rifle Association of America (The NRA) to Moscow, 8 -13 December 2015" (MB 0000066-83).

<sup>3971</sup> (U) Keene Tr., p. 139; Butina, "THE PROGRAM of the visit of the delegation from The National Rifle Association of America (The NRA) to Moscow, 8 -13 December 2015" (MB 0000066-83).

<sup>3972</sup> (U) Keene Tr., p. 139.

<sup>3973</sup> (U) *Ibid.*, pp. 140-141.

<sup>3974</sup> (U) Email, Brownell to Perrine, December 12, 2015 (Brownell Production 00326-328) (sharing Kryuchin's business card).

<sup>3975</sup> (U) *Ibid.*, pp. 144-145.

<sup>3976</sup> (U) Twitter direct messages, Torshin and Butina, December 13, 2015. Shchyogolev is also known as Igor Shchegolev. Keene did not recall if Shchyogolev was present. Keene Tr., p. 146.

<sup>3977</sup> (U) Treasury, Ukraine-related Sanctions, July 16, 2014 (adding Shchyogolev to Specially Designated Nationals list).

<sup>3978</sup> (U) Keene said: "You don't do business with him, you don't give him things . . . it doesn't mean you . . . shun him." Keene Tr., p. 143.

<sup>3979</sup> (U) Butina Tr., pp. 169.

<sup>3980</sup> (U) Twitter direct messages, Torshin and Butina, December 13, 2015.

<sup>3981</sup> (U) Butina Tr., pp. 170-71.

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the conversation as “a little bit how is gun rights in America, . . . how it’s in Russia, . . . [and] the Practical Shooting Association.”<sup>3982</sup> Butina claimed another encounter at the shooting association with an individual in the Russian Presidential Administration was also a “coincidence.”<sup>3983</sup>

(U) Overall, Torshin and Butina expressed satisfaction with the NRA trip and hoped to “reap dividends from the outcome.”<sup>3984</sup> They discussed the implications of the “valuable contact” they had developed with the NRA and the importance of that contact for Torshin’s “mission of reviving relationships between the two countries.”<sup>3985</sup> In messages to Butina, Torshin also described Rogozin’s reaction to the NRA visit: “[C]ontacts with the NRA are very important and interesting for him right now. We gave this issue a ‘push.’ So far there have been only ‘pluses.’”<sup>3986</sup>

**vi. (U) Financing the Trip and Butina’s Formation of Bridges LLC**

(U) Financing the trip presented some complications. Butina told the Committee that her organization intended to fund the NRA delegation’s stay in Moscow,<sup>3987</sup> and Keene likewise understood that “The Right to Bear Arms was paying for the in-Russia costs and we [the NRA] were paying for the transportation.”<sup>3988</sup> Keene told the Committee he was not aware of any Russian government money used to support the trip.<sup>3989</sup> But, as Butina explained, one of her wealthy donors, Konstantin Nikolaev, was paying the expenses in Russia.<sup>3990</sup> Nonetheless, Butina’s organization did not have funds available for two last-minute members of the trip from the Outdoor Channel, Jim Liberatore and his wife, so she paid out of her own pocket and requested reimbursement.<sup>3991</sup> The cost for them was approximately \$6,000, which Pete Brownell paid in June 2016 through personal check to Bridges LLC, a business entity Butina created in the

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<sup>3982</sup> (U) *Ibid.*, pp. 163.

<sup>3983</sup> (U) *Ibid.*, pp. 163–64. It is unclear whether Butina was saying that a meeting with Sergei Shutalev, who Butina described as a “PR person” in the Russian presidential administration was a coincidence, or whether she was referring to a meeting with another individual that she did not name. Some of the planned Russian government meetings did not occur. For example, Keene had no recollection of a meeting with Lukyanov, which Butina said was canceled. Keene Tr., p. 131; Butina Tr., p. 155. Similarly, Butina said there was no meeting that took place with the Russian Security Council. Butina Tr., p. 155.

<sup>3984</sup> (U) Twitter direct messages, Torshin and Butina, December 13, 2015.

<sup>3985</sup> (U) *Ibid.*

<sup>3986</sup> (U) Twitter direct messages, Torshin and Butina, December 29, 2015.

<sup>3987</sup> (U) Butina Tr., p. 82.

<sup>3988</sup> (U) Keene Tr., pp. 128–129.

<sup>3989</sup> (U) *Ibid.*, p. 130.

<sup>3990</sup> (U) Butina Tr., p. 180.

<sup>3991</sup> (U) *Ibid.*, pp. 81–82.

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United States.<sup>3992</sup> The NRA invoiced Brownell for this expense and the Clarkes' expenses, which it processed as a "special project."<sup>3993</sup>

(U) Butina said she did not want payment to come directly to her organization because of how it might be perceived: "a western company paying money, donating money to the Russian not-profit organization supporting gun rights, would be seen very badly. It's like the West is sponsoring gun rights fight."<sup>3994</sup> She also said that the payment to Bridges LLC was the NRA's preference.<sup>3995</sup>

(U) Butina, with Erickson's help, had formed Bridges LLC in mid-February 2016 to receive payments on a consulting project with the Outdoor Channel to help develop a program called "Unknown Russia."<sup>3996</sup> Butina's efforts appeared largely directed at ascertaining whether Putin would "participate" in the show, and in communications with the producers, she implied that she had initiated "solid" contacts "directly with the office of President Putin."<sup>3997</sup> She told the Committee that these were exaggerations,<sup>3998</sup> although Butina's communications with Torshin suggest that she minimized these contacts in her testimony and was not fully forthcoming. For example, on March 17, Torshin told Butina that he had spoken with Alexey Gromov (Putin's Deputy Chief of Staff) about the show and would need to send a letter to Peskov. Later, on March 30 and 31, Torshin told Butina that he would be meeting with Anastasia Chernobrovina, a member of the Russian Geographic Society's "Media Council," who appeared interested and would be speaking with Peskov. On May 13, Torshin explained that Peskov would be making the decision on Putin's participation in the show.<sup>3999</sup>

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<sup>3992</sup> (U) *Ibid.*, pp. 81–82, 86; Email, Brownell to Butina, June 14, 2016 (MB 0002945–47). Butina separately described exploring a potential business deal with Brownell in relation to the sale of weapons parts in Russia, discussed *infra*. Butina Tr., pp. 87–89.

<sup>3993</sup> (U) Emails, Brownell, Perrine, and Hallow, April 24–25, 2016 (Brownell Production 593–596); Emails, Perrine and Wilmes, June 15, 2016 (NRA Production 0005347–5348); Invoice, Brownell to NRA, May 26, 2016 (NRA Production 0005351).

<sup>3994</sup> (U) Butina Tr., pp. 82–83.

<sup>3995</sup> (U) *Ibid.*

<sup>3996</sup> (U) Email, Butina to Cremin, February 12, 2016 (PAE0001226); Email, Butina to Kerkvliet, February 22, 2016 (PAE0001817) (discussing incorporation of Bridges LLC); Email, Keene to Butina, August 6, 2015 (PAE0000254).

<sup>3997</sup> (U) Email, Butina to Cremin, May 13, 2016 (PAE0000074–75). With Erickson's help, Butina negotiated and signed an Independent Contractor Agreement on February 21, 2016, to be a "Consultant and Pre-Production Coordinator," for which she received a \$5,000 monthly fee, plus expenses. Email, Erickson to Butina, January 26, 2016 (PAE0001483, 1489) (drafting contract language for Butina to send to Winnercomm). The contract was formally executed with Winnercomm, Inc., a production company. See Independent Contractor Agreement (PAE0000340–347).

<sup>3998</sup> (U) Butina Tr., p. 97–98.

<sup>3999</sup> (U) Twitter direct messages, Torshin and Butina, March 17, 30–31, May 13, 2016.

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(U) Ultimately, the producers lost confidence in Butina’s ability to secure approval for the show.<sup>4000</sup> Erickson drafted emails that he suggested Butina send to the producers to persuade them to extend her contract. In one July email, Erickson suggested she write:

*I continue to receive updates from my contacts within President Putin’s office concerning “Unknown Russia”—even during these summer vacation weeks. My sources remain hopeful for such a production this fall and they await my arrival in Moscow the first week of August for further discussions.*<sup>4001</sup>

(U) In late August 2016, Erickson further suggested connecting the project to Trump’s victory in the 2016 presidential election:

*Unofficially, my sense is that President Putin feels that there is a much better chance at future cooperation with America—on several fronts—if Trump defeats Hillary in the November general election.*<sup>4002</sup>

(U) Erickson also wrote:

*Of particular note was that the Russian delegation to the NRA Annual Meeting in May (which I led) had a chance to meet Donald Trump’s son over dinner and was excited to learn of Donald, Junior’s love of hunting . . . AND interest in exploring Russia. These points were communicated independently to President Putin’s office. This could provide a VERY interesting twist to one (or more) potential “Unknown Russia” episodes if the son(s) of the American President were seen hunting with the Russian leader.*<sup>4003</sup>

(U) The Committee was unable to determine if Butina ultimately sent the emails drafted by Erickson or if, as the emails indicated, she had additional communications with Putin’s office.<sup>4004</sup> Having made no notable progress in securing Putin’s participation in the show or obtaining formal approval for filming, the producers terminated the contract. Ultimately, Butina was paid \$20,000 by the producer, Winnercom, for four months of work.<sup>4005</sup>

**5. (U) Torshin and Butina Pursue Political Contacts with Russian Approval**

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<sup>4000</sup> (U) Email, Cremin to Butina, May 13, 2016 (PAE0000074–75).

<sup>4001</sup> (U) Email, Erickson to Butina, July 13 (PAE0000622).

<sup>4002</sup> (U) See, e.g., Email, Erickson to Butina, August 29, 2016 (PAE0000147).

<sup>4003</sup> (U) *Ibid.*

<sup>4004</sup> (U) Butina Tr., p. 99 (“I had the connection. But that was just this emails [sic] to the public office.”).

<sup>4005</sup> (U) *Ibid.*, p. 97.

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(U) The NRA's 2015 trip to Moscow served as a launching pad for Torshin and Butina's continued efforts to build an informal channel of communication from the Russian Federation to U.S. policy makers, which manifested in various ways, including attendance at the National Prayer Breakfast; a series of "Friendship Dinners" sponsored by George O'Neill; the NRA annual meetings; and contact with a Trump Campaign foreign policy advisor.

**i. (U) Butina and Torshin Attend the National Prayer Breakfast and the Russian National Prayer Breakfast**

(U) In mid-December 2016, Torshin and Butina discussed attending the 2016 National Prayer Breakfast as the "next step" in leveraging their NRA relationship, and Torshin raised the subject at the Russian MFA in late December.<sup>4006</sup> After meeting with the MFA, Torshin messaged Butina: "Today's discussion about the Prayer Breakfast went well. I did not get the 'green light' yet but everyone was in favor."<sup>4007</sup> By early January, approval was apparently obtained, because on January 10, 2016, Butina emailed a contact at the NRA for tickets.<sup>4008</sup> Erickson later secured tickets through then-Congressman Mark Sanford's office,<sup>4009</sup> to whom Butina drafted a note of thanks, expressing the "importance of unofficial contacts" between Russia and the United States.<sup>4010</sup>

(U) Joe Gregory, one of the attendees of the December 2015 NRA trip to Moscow, recalled through a letter from counsel that he "put Ms. Butina in touch with certain individuals in connection with her attendance at the National Prayer Breakfast."<sup>4011</sup> One of those individuals was Doug Burleigh, son-in-law of Doug Coe, the National Prayer Breakfast organizer and the head of the Fellowship Foundation.<sup>4012</sup>

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<sup>4006</sup> (U) Twitter direct messages, Torshin and Butina, December 29, 2015.

<sup>4007</sup> (U) Twitter direct messages, Torshin and Butina, December 29, 2015.

<sup>4008</sup> (U) See, e.g., Email, Butina to Hallow, January 10, 2016 (PAE0001608). Hallow responded that the NRA did not have a table or tickets to provide. Email, Hallow to Butina, January 10, 2016 (PAE0001607).

<sup>4009</sup> (U) See Email, Roberts to Erickson, January 27, 2016 (PAE0001647-51) (responding to Erickson and attaching invitation from Sanford to Butina and Torshin); Email, Erickson to Butina, February 3, 2016 (PAE0001709) (providing instructions to retrieve a ticket from Sanford's office);

<sup>4010</sup> (U) See Email, Butina to Erickson, February 12, 2016 (MB 0003163-MB 0003164) (sharing draft letter to Sanford). Butina did not produce a final transmitted version of the email to the Committee, so it is unclear whether she ultimately sent it.

<sup>4011</sup> (U) Letter, McKinney to Wyden, November 15, 2018; Email, Gregory to Butina, January 19, 2016 (PAE0001615-16). Gregory had stayed in contact with Butina following the December 2015 NRA trip.

<sup>4012</sup> (U) "Nashville / Prayer Breakfast / Safari Club Grand Tour" (PAE0001915); Email, Butina to Burchfield and Burleigh, January 28, 2016 (PAE0000683); Butina Tr., p. 317.

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(U) In addition, Butina spent several days in Nashville at Gregory's invitation, prior to traveling to Washington, D.C. on Gregory's private jet.<sup>4013</sup> Following the event, Butina and Torshin flew with Gregory to Las Vegas to attend a Safari Club International convention.<sup>4014</sup> According to a letter from Gregory's counsel, Gregory paid for Torshin's and Butina's hotel rooms in Las Vegas.<sup>4015</sup>

(U) On February 10, 2016, Butina sent a summary document to Torshin entitled, "Note on A.P. Torshin's visit to the National Prayer Breakfast attended by U.S. President Barack Obama, and also a meeting with a member of the Rockefeller family, George O'Neill."<sup>4016</sup>

(U) Butina and Torshin built on these connections during the March 2016 Russian Prayer Breakfast. On March 15, 2016, Butina and Torshin attended the Russian Prayer Breakfast in Moscow at the President Hotel, and Torshin gave remarks. The event was attended by several Americans, including Doug Coe<sup>4017</sup> and Johnny Yenason.<sup>4018</sup> A week later, Coe's daughter, Debbie Burleigh, and her husband, Doug Burleigh, met Butina and Torshin in Moscow for a pre-arranged dinner to talk about the 2017 National Prayer Breakfast.<sup>4019</sup>

(U) According to an email to Butina from Debbie Burleigh, during the event, Coe and Torshin discussed the possibility of Putin attending the 2017 National Prayer Breakfast. According to Burleigh's correspondence with Butina, Torshin had "suggested to President Putin that he consider coming to the Prayer Breakfast next year, Feb. 2017 and Pres. Putin did not say 'no'!"<sup>4020</sup> Burleigh and Butina discussed certain conditions that would need to be met for Putin to attend.<sup>4021</sup> More immediately, however, Torshin and Butina began preparations for a series of meetings involving their U.S. contacts and attendance at the 2016 NRA annual convention.

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<sup>4013</sup> (U) Letter, McKinney to Wyden, November 15, 2018. While in Nashville, Butina took in a hockey game and attended a women's luncheon and bible study.

<sup>4014</sup> (U) *Ibid.*

<sup>4015</sup> (U) *Ibid.*

<sup>4016</sup> (U) Twitter direct messages, Torshin and Butina, February 10, 2016. The Committee did not obtain a copy of this "summary" document.

<sup>4017</sup> (U) On February 10, shortly after the National Prayer Breakfast in Washington, D.C., Butina told Torshin that she had sent him a "detailed biography of Coe," who she emphasized was a "VERY interesting person," as well as a note about the Fellowship, which she called a "very big-time organization." Twitter direct messages, Torshin and Butina, February 10, 12, 2016.

<sup>4018</sup> (U) Email, Clay to Dearborn, May 16, 2016 (CRC-000016-CRC-000020) ("Mr. Torshin and Ms. Butina were invited by my colleague, Johnny Yenason, who was introduced to them by Peter Sautov (Russian Ambassador: for the Russian National Prayer Breakfast)."); Clay Tr., p. 13.

<sup>4019</sup> (U) Email, Butina to Burleigh and Burleigh, March 22, 2016 (PAE000407); Twitter direct messages, Torshin and Butina, March 21, 2016.

<sup>4020</sup> (U) Email, Burleigh to Butina, March 29, 2016 (PAE000405-407).

<sup>4021</sup> (U) According to the emails, several conditions would need to be met: "President Putin w[ould] need to receive a personal invitation"; second, "there must be an understanding that it is a 'yes' from the new American president

ii. (U) George O’Neill’s Russian-American “Friendship Dinners”

(U) In early 2016, around the same time of the National Prayer Breakfast, Butina and Torshin developed a relationship with George O’Neill, Jr., one of Erickson’s “oldest friends in politics,”<sup>4022</sup> to whom Butina and Torshin referred as the “Rockefeller heir.” In a January 29, 2016, email describing O’Neill to Butina before their introduction, Erickson noted: “He met Torshin on a trip to Moscow five years ago and is VERY interested in forming a U.S./Russia ‘friendship pact’ (sound familiar??)”<sup>4023</sup> Erickson also shared Butina’s “bio” with O’Neill and introduced them by email on February 2, noting Butina’s “Russian political mentor, Alexander Torshin,” and suggesting that Butina, Torshin and O’Neill meet in person on the periphery of the National Prayer Breakfast.<sup>4024</sup> Butina recalled that she first met O’Neill in Las Vegas during the Safari International convention, which took place after the Prayer Breakfast.<sup>4025</sup> O’Neill later joined Erickson in funding Butina’s education at American University.<sup>4026</sup>

(U) Working with O’Neill and Erickson, Butina and Torshin developed a concept for meetings involving U.S. and Russian figures as an informal channel of communication between the two countries. Butina and Torshin’s strategy on how to utilize O’Neill began at least as early as February 26, when Butina delivered to Torshin a “Note on Organizing a Channel of Informal Communication between Russia and the USA,” referring to it in her messages to Torshin as the “paper about our Rockefeller.”<sup>4027</sup> In it, Butina emphasized the potential to influence American foreign policy:

*The indicated initiative may become the main channel of Russian-American informal communication . . . , which will generate the necessary background for promoting pro-Russian sentiment in the USA. The special advantage of this proposal resides in the fact that the presence of bilateral interest will, on the one hand, cancel out the questions of American ill-wishers about “the Kremlin’s*

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and President Putin to avoid any misunderstanding and embarrassment”; and there must be an “understanding that other heads of state would be attending the same prayer breakfast.” In addition, Butina conveyed that Putin would need to receive the invitation from the U.S. President and the total number of heads of state would need to be at least 15. Email, Butina to Burleigh, March 30, 2016 (PAE000403–404); Twitter direct messages, Torshin and Butina, March 30–31, 2016. As discussed below, Butina and Torshin returned to the 2017 National Prayer Breakfast, with a much larger Russian delegation. The conversation between Burleigh and Butina about Putin may have contributed to a later invitation to Torshin and Butina to meet Trump at the 2017 breakfast.

<sup>4022</sup> (U) Email, Erickson to Butina, January 29, 2016 (PAE0001674).

<sup>4023</sup> (U) *Ibid.*

<sup>4024</sup> (U) Email, Erickson to Butina and O’Neill, February 2, 2016 (PAE0001705).

<sup>4025</sup> (U) Butina Tr., p. 224–25. Butina appeared to have the dates of the convention confused, and believed it had occurred in January. The evidence shows that it actually occurred in February.

<sup>4026</sup> (U) Butina Tr., p. 121–23.

<sup>4027</sup> (U) Twitter direct messages, Torshin and Butina, February 26, 2016.

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*hand” in the organization and in attempts at propaganda and, on the other, will make it possible to exert the speediest and most effective influence on the process of making decisions in the American establishment.*<sup>4028</sup>

(U) On March 10, Erickson sent Butina and O’Neill a proposed list of suggested participants for an event following the NRA convention.<sup>4029</sup> Butina shared the list with Torshin,<sup>4030</sup> and responded on his behalf: “George, Mr. Torshin is very much impressed by you and expresses his great appreciation for what you are doing to restore the relations between the two countries. He also wants you to know that Russians will support the efforts from our side.”<sup>4031</sup> On March 14, Butina reported additional developments from Torshin’s conversations with the Kremlin to O’Neill:

*Mr. Torshin confirmed his desire in our Russian-American project and will participate [in] the meetings. He talked to some people in Presidential Administration—they also gave a «green light» as Russians say for building this communication channel. They are working on the third person for the meetings choosing between very strong Russian businessman or governmental official.*<sup>4032</sup>

(U) Butina wanted to invite Patrick Byrne to the O’Neill dinners, and she also pursued an invitation for Byrne at the St. Petersburg International Economic Forum, or SPIEF. On February 22, Butina sent to Torshin a “proposal regarding the Participation of speaker Patrick Byrne at the St. Petersburg Economic Forum” and identified Byrne as “one of the future participants of our events with Rockefeller. It would be good to invite him to the forum if you have a possibility to assist.”<sup>4033</sup> In addition to sending the proposal directly to Torshin via Twitter direct message, the communication chain suggests Butina also sent the proposal to Torshin’s office at the Central Bank.<sup>4034</sup>

(U) On April 5, 2016, Torshin followed up with Butina about Byrne’s participation at the Forum, noting that he had spoken with Dmitriy Sergeyeovich Stolkov, who Torshin described as “the contact person in the Administration of the President of the RF.” Torshin also advised

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<sup>4028</sup> (U) Maria Butina, “Note on Organizing a Channel of Informal Communication between Russia and the USA,” February 26, 2016; United States’ Memorandum in Aid of Sentencing, *United States v. Butina*, Case 1:18-cr-00218-TSC (D.D.C. May 1, 2019), Exhibit 7.

<sup>4029</sup> (U) Email, Erickson to Butina, March 11, 2016 (PAE0001916–17).

<sup>4030</sup> (U) Twitter direct messages, Torshin and Butina, March 13, 2016 (“They sent me a list of participants of that Russian-American meeting from their side. I’ll hand it over on Tuesday.”).

<sup>4031</sup> (U) Email, Butina to O’Neill and Erickson, March 11, 2016 (PAE0000970).

<sup>4032</sup> (U) Email, Butina to O’Neill, March 14, 2016 (PAE0001925).

<sup>4033</sup> (U) Twitter direct messages, Torshin and Butina, February 22, 2016.

<sup>4034</sup> (U) *Ibid.*

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Butina to contact Armen Khacatryan to arrange Byrne’s appearance on a panel.<sup>4035</sup> Khacatryan is, or was, the Deputy Director of the Roscongress Foundation, the forum organizer for SPIEF.<sup>4036</sup>

**iii. (U) Butina and Torshin Arrange Meetings in Moscow for Rep. Rohrabacher**

(U) In mid-March 2016, O’Neill worked with Butina to arrange a meeting in Moscow for Rohrabacher with Russian political figures. In a March 16, 2016, email to Butina and Erickson, O’Neill wrote:

*Dana is a BIG proponent of friendship and cooperation with Russia and is very supportive of our efforts. He is leading a Congressional trip for his sub committee to Moscow on March 30 and would like to meet you and Torshin and any other Russian politician, who is interested in closer relations with the US.*<sup>4037</sup>

O’Neill specifically identified Rohrabacher’s interest in nuclear cooperation and recommended a meeting with Evgeny Pavlovich Velikhov, a Russian nuclear scientist and former president of the Kurchov Institute.<sup>4038</sup> O’Neill also underscored that Rohrabacher would “gladly participate and assist us” with the contemplated “friendship dinners,” and was planning in parallel a dinner in April about “the pros and cons of being friendly and cooperating with the Russians.”<sup>4039</sup>

(U) Torshin attended Rohrabacher’s meeting with Velikhov on April 2, and Butina encouraged him to discuss their work with O’Neill.<sup>4040</sup> The substance of the meeting also included U.S. politics. After the meeting, Torshin told Butina that the U.S. guests “talked a lot about the Prayer Breakfast, the NRA, and the elections in the U.S.A.” Communications between Erickson and Butina suggest that some of Rohrabacher’s guests—apparently associated with Radio Free Europe—said something to offend Torshin.<sup>4041</sup>

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<sup>4035</sup> (U) Twitter direct messages, Torshin and Butina, April 5, 2016.

<sup>4036</sup> (U) See [Roscongress.org/en/speakers/khacatryan-armen-/biography](http://Roscongress.org/en/speakers/khacatryan-armen-/biography).

<sup>4037</sup> (U) Email, O’Neill to Butina and Erickson, March 16, 2016 (PAE0001934–35).

<sup>4038</sup> (U) Email, O’Neill to Butina and Erickson, March 17, 2016 (PAE0001936).

<sup>4039</sup> (U) Email, O’Neill to Butina and Erickson, March 16, 2016 (PAE0001934–35).

<sup>4040</sup> (U) Twitter direct messages, Torshin and Butina, March 31, 2016 – April 1, 2016. Butina herself helped to arrange the meeting. Email from Maria Butina to George O’Neill and Paul Erickson, March 23, 2016 (MB 0002977) (describing plan to arrange the meeting with Velikhov).

<sup>4041</sup> (U) Twitter direct messages, Torshin and Butina, April 3, 2016. Email, Erickson to Butina, April 8, 2016 (PAE0002418). Later, as to O’Neill, Torshin remarked: “His activity aroused no interest in our country and I won’t be able to take part in his plans.” Accordingly, he advised Butina to “step away from him” and made clear that he would not participate in any O’Neill gatherings in Russia. Twitter direct messages, Torshin and Butina, April 3, 2016. Torshin later directed Butina to “decline contact: like, no time, got other responsibilities or something of that kind.” Torshin also hinted to Butina that he (Torshin) was “in a system that was being guarded,” although Butina

(U) On April 21, O’Neill drafted a letter to Torshin apologizing for Rohrabacher’s reportedly “intemperate remarks” and explaining, in part, his interest in sponsoring a dinner series in order to “further good relations between the Russian Federation and a NEW American presidential administration next January.”<sup>4042</sup>

**6. (U) 2016 NRA Convention and Efforts to Pursue Contact with Trump**

(U) At around the same time, Butina and Torshin discussed a return trip to the NRA annual meetings in 2016. On February 17, Torshin reiterated the need to “develop ties with the NRA.”<sup>4043</sup> By February 21, Butina conveyed to Torshin that Trump had “won the last really important primaries,” and they should consider him the “presumptive Republican nominee.”<sup>4044</sup> In mid-March, Butina informed Torshin that Trump had referred to Putin as a “strong leader” and had effectively clinched the nomination.<sup>4045</sup> Butina also cryptically proposed that Torshin “[t]hink about if we should invite someone from the Trump Administration in order to unofficial[ly] meet with someone from our . . . ,” although she left the sentence unfinished.<sup>4046</sup>

(U) On April 20, Torshin pressed Butina to secure invitations to the NRA annual meetings and to begin preparations.<sup>4047</sup> Butina, who had made that request to Pete Brownell months earlier, on January 26, had already secured them.<sup>4048</sup> Despite an initial travel conflict, Torshin appeared to seek ways to justify his attendance internally within the Russian MFA. He requested that Butina write to him “specifically about a possible meeting with Trump and the other candidates” because “maybe MID [Russia’s Ministry of Foreign Affairs] will ask to have me sent.”<sup>4049</sup> Torshin emphasized that MID’s interest appeared to be in securing an invitation to observe the U.S. presidential election.<sup>4050</sup>

(U) Likely in response, Butina prepared a written note for Torshin on the NRA convention on April 22, entitled “Note on the Annual General Convention of the National Rifle

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might be “freer in [her] preferences, but in a personal capacity.” Twitter direct messages, Torshin and Butina, April 20, 2016.

<sup>4042</sup> (U) Letter, O’Neill to Torshin, April 21, 2016 (PAE0002055–2058). It is not clear from document productions if the letter was sent. O’Neill conveyed a similar sentiment to Butina in a separate letter. Letter, O’Neill to Butina, April 11, 2016 (MB 0002966–2967).

<sup>4043</sup> (U) Twitter direct messages, Torshin and Butina, February 17, 2016.

<sup>4044</sup> (U) Twitter direct messages, Torshin and Butina, February 21, 2016.

<sup>4045</sup> (U) Twitter direct messages, Torshin and Butina, March 15–16, 2016.

<sup>4046</sup> (U) Twitter direct messages, Torshin and Butina, February 26, 2016 (ellipses in original).

<sup>4047</sup> (U) Twitter direct messages, Torshin and Butina, April 20, 2016.

<sup>4048</sup> (U) Email, Butina to Brownell, January 25, 2016 (MB 0000026–28). In this email, Butina requested invitations for herself, Torshin, Pavel Gusev, Igor Pisarsky, and Vadim Zadorozhny.

<sup>4049</sup> (U) Twitter direct messages, Torshin and Butina, April 22, 2016.

<sup>4050</sup> (U) Twitter direct messages, Torshin and Butina, April 22, 2016.

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Association of the USA and the Possibilities of Setting Up Informal Communications between Russia and the USA.” Butina’s document included the following statements tying the NRA trip to the Russian MFA’s interest in influencing Republican candidates’ views, specifically Trump’s, on Russia (emphasis in original)<sup>4051</sup>:

- (U) **“The assumption is that the influence of the NRA on election results is critically important for the Republican Party.”**
- (U) **“[T]he leadership of the NRA is inviting Mr. Torshin not just to attend the general assembly of the organization and to speak at it, but is even granting him access to closed meetings with the VIP speakers at the conference. In May 2016 he has the chance to speak personally with the leaders of the Republican primary race—Mssrs. Trump, Cruz and Kasik [sic].”**
- (U) **“Torshin is invited to the National Republican Convention . . . . In accord with Mr. Torshin’s wish, he can be an observer at the presidential election in November 2016 in a US state that interests him.”**
- (U) **“On April 22, Donald Trump announced a change . . . in his election strategy, where the candidate plans to pay closer attention to foreign policy. Important in these circumstances are those contacts with the candidate and his entourage that will help form Trump’s correct view of Russian-American relations. Attending the general assembly of the NRA in May 2016 fully provides this unique opportunity.”**

(U) After Butina provided her written note, Torshin obtained approval from his “boss” to travel to the NRA convention.<sup>4052</sup> Butina quickly arranged flights and developed a list of gifts to provide to their NRA contacts and the Republican candidates, including Trump and his entire family.<sup>4053</sup> She also told Torshin that they had obtained a meeting with Trump at the NRA.<sup>4054</sup> Torshin, however, was dubious that arranging a meeting with Trump, who they had begun referring to as “the future president,” would be helpful during the campaign, and told her to focus instead on their NRA connections, which would “certainly prove useful.”<sup>4055</sup>

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<sup>4051</sup> (U) Twitter direct messages, Torshin and Butina, April 22, 2016 (bold as in original).

<sup>4052</sup> (U) Twitter direct messages, Torshin and Butina, April 28–29, 2016.

<sup>4053</sup> (U) Twitter direct messages, Torshin and Butina, April 29, 2016.

<sup>4054</sup> (U) Twitter direct messages, Torshin and Butina, May 4, 2016.

<sup>4055</sup> (U) Twitter direct messages, Torshin and Butina, May 11, 2016.

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(U) On May 5, 2016, Kislyak was also scheduled for lunch with Allan Cors and David Keene at the Ambassador's residence.<sup>4056</sup> Cors and Keene later declined Kislyak's invitation to attend the Day of Russia celebration on June 9, 2016.<sup>4057</sup>

(U) The possibility of meeting Trump during the convention initially arose with Johnny Yenason, who had met Butina at the Russian Prayer Breakfast and invited Butina and Torshin to a dinner he was involved in organizing on Thursday, May 19.<sup>4058</sup> Yenason owned a Pennsylvania plumbing company, was an NRA member, and was active in political and religious circles.<sup>4059</sup> On May 2, Yenason emailed Butina and Torshin and offered an introduction to Trump in connection with the dinner:

*I would like to know if you would be interested in joining a couple of us after the dinner to meet with Donald Trump, our presidential front runner. . . . I believe this would be very interesting for both you and Alex especially if [M]r. Trump is elected our next president. You may if you wish be involved in helping introduce [M]r. Trump to President Putin.<sup>4060</sup>*

Butina responded: "Thank you very much for the priceless opportunity to meet Mr. Trump! It's an honor and might be a good deal for the relationships between the two countries in the future."<sup>4061</sup>

(U) Several days later, Erickson emailed Rick Dearborn about the idea, with the subject line "Kremlin Connection":

*Happenstance and the (sometimes) international reach of the NRA placed me in position a couple of years ago to slowly begin cultivating a back-channel to President Putin's Kremlin. Russia is quietly but actively seeking a dialogue with the U.S. that isn't forthcoming under the current administration. And for reasons that we can discuss in person or on the phone, the Kremlin believes that the only possibility of a true re-set in this relationship would be with a new Republican White House. . . .*

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<sup>4056</sup> (U) Email, Perrine to Cors, May 3, 2016 (NRA Production 0003719).

<sup>4057</sup> (U) Email, Perrine to Russian Embassy Staff, June 8, 2016 (NRA Production 0003724).

<sup>4058</sup> (U) Email, Yenason to Butina, March 21, 2016 (MB 0002233) ("It was so good meeting you at the prayer breakfast. I have spoken to my colleagues about inviting you and our friend too [sic] our dinner at the NRA convention. I'm also interested in talking to you about being a guest speaker at our dinner.").

<sup>4059</sup> (U) Clay Tr., p. 36.

<sup>4060</sup> (U) Email, Yenason to Butina, Clay, Ryan, and Torshin, May 2, 2016 (MB 0000004).

<sup>4061</sup> (U) Email, Butina to Yenason, Clay, and Ryan, May 2, 2016 (MB 0002231).

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*President Putin's emissary on this front has arranged to attend next week's NRA Annual Meeting in Louisville, KY. He is attending a small private reception that Mr. Trump has (allegedly) committed to on Thursday night, May 19 in order to make "first contact" (nothing more than the presentation of a gift for Mrs. Trump tied to the Russian Orthodox Church- a fascinating artifact). The reception is being hosted by a nondescript organization called "Heroes for Freedom and Liberty" (a veterans support group).*

*Putin is deadly serious about building a good relationship with Mr. Trump. He wants to extend an invitation to Mr. Trump to visit him in the Kremlin before the election. Let's talk through what has transpired and Sen. Sessions' advice on how to proceed.*<sup>4062</sup>

Dearborn told the Committee that he did not recall receiving Erickson's email and did not believe he responded to this request.<sup>4063</sup>

(U) Rick Clay, a politically-connected NRA member from West Virginia and friend of Yenason, also pursued the issue with his own Trump Campaign contacts, including Dearborn and Jordan Karem. Clay first raised the subject with Dearborn by phone on May 15, telling Dearborn that there was an invitation for Trump to attend an event in Russia and that a meeting between Trump and Putin could be arranged while Trump was there.<sup>4064</sup> In Clay's view at the time, "the optics [of this meeting] would [have] be[en] tremendous" from a political perspective.<sup>4065</sup>

(U) At Dearborn's request,<sup>4066</sup> Clay provided additional information in a follow-up May 16 email, with the subject line "Russian backdoor overture and dinner invite":

*When Johnny informed me that he had made Mr. Torshin and Ms. Butina's acquaintance, I invited them to attend our dinner . . . and speak at our event which they enthusiastically accepted. At the same time I learned that Mr. Trump would be speaking at the NRA Convention in Louisville KY the day after our dinner. I contacted Jordan Karem . . . who works for the Trump Campaign organizing events. Jordan indicated he might be able to obtain entrance of a*

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<sup>4062</sup> (U) Email, Erickson to Dearborn, May 10, 2016 (PAE0002913).

<sup>4063</sup> (U) SSCI Transcript of the Interview with Rick Dearborn, October 23, 2017, pp. 65–66.

<sup>4064</sup> (U) *Ibid.*, p. 81; Clay Tr., pp. 48–51. Dearborn was connected to Clay through Joel Brubacker, Chief of Staff to Senator Shelley Moore Capito. Dearborn Tr., pp. 80–81; *see also* Clay Tr., pp. 46–47 (describing initial contact with Dearborn through Capito's office).

<sup>4065</sup> (U) Clay Tr., pp. 51–52.

<sup>4066</sup> (U) Dearborn Tr., p. 81.

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*small group from our event to include the Russian delegation to meet Mr. Trump. I then informed Johnny Yenason of this development and asked him to speak to Mr. Torshin and Ms. Butina if they would like to have an opportunity to meet Mr. Trump if it could be arranged. They both agreed it would be an honor to meet him if possible. I informed Jordan Karem of this request and he said he would advance this up the latter [sic] with the Trump Campaign, (As of today I have not heard any word in regards to the request). A few days passed and I received a call from Johnny Yenason about a conversation he had with Ms. Butina and Mr. Torshin about meeting Mr. Trump. They indicated to him that they had been asked by Mr. Putin to see if Mr. Trump would be willing to meet with him in the near future and to explore this possibility with him at this meeting if it could be arranged.*

*During a subsequent conversation with Ms. Butina and Mr. Torshin, Mr. Torshin requested that he meet privately with someone of high rank in the Trump Campaign prior to the May 20th NRA address by Mr. Trump, so that he can convey to them this is a real overture and such a meeting would elevate any doubt that this is not some type of ploy or mischaracterization to meet Mr. Trump under false pretenses.*

**(U)** Clay continued:

*Mr. Torshin believes, as does [sic] several people associated with this Christian event in Russia, that he will personally approach Franklin Graham (They are good Friends and associates in Christ) to extend and [sic] invite to Mr. Trump to this event in Russia and while Mr. Trump is there he will arrange the meeting with President Putin and Mr. Trump.*

*Please excuse the play on words but this is HUGE! The optics of Mr. Trump in Russian [sic] with Franklin Graham attending an event of over 1000 World Christian Leaders addressing the Defense of Persecuted Christians accompanied by a very visible meeting between President Putin and Mr. Trump, would devastate the Clinton campaigns [sic] effort to marginalize Mr. Trump on Foreign Policy and embolden him further with Evangelicals.<sup>4067</sup>*

**(U)** Clay also made two asks of Dearborn and the Trump Campaign:

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<sup>4067</sup> (U) Email, Clay to Dearborn, May 16, 2016 (CRC-000016–CRC-000020).

[REDACTED]

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- (U) A “[p]rivet [sic] meeting with a high ranking representative of the Trump Campaign with Mr. Torshin before the NRA event.”<sup>4068</sup>
- (U) A “[m]eet and greet with a small delegation from the Freedom Dinner with Mr. Trump that will include both Mr. Torshin, Ms. Maria Butina, [and] Three Medal of Honor Recipients.”<sup>4069</sup>

(U) Dearborn initially responded that he would be “[w]orking on this first thing in the am.”<sup>4070</sup> He told the Committee that he did not “connect the dots” to the earlier Erickson request.<sup>4071</sup> He forwarded Clay’s email to Jared Kushner, Paul Manafort, and Rick Gates the next day, noting that Clay:

*[W]ants Alexander Torshin, The Deputy Governor of the Bank of Russia to meet with a high level official in our campaign at the Louisville, KY NRA event to discuss an offer he claims to be carrying from President Putin to meet with DJT: They would also like DJT to visit Russia for a world summit on the persecution of Christians at which Putin and Trümp would meet.*<sup>4072</sup>

(U) Kushner, dubious of the Campaign’s ability to verify any messages that people claimed to be bringing from foreign leaders, directed Dearborn to decline.<sup>4073</sup> On May 18, Dearborn responded to Clay: “I’ve asked about a [meeting] but we are not able to accommodate it at that event in KY.”<sup>4074</sup> Dearborn did not discuss the request with Karem, but told the Committee that he may have mentioned it to J.D. Gordon or John Mashburn.<sup>4075</sup>

(U) After Clay relayed the Campaign’s response to Yenason, Yenason encouraged him to persist: “I would suggest a follow up to Rick and see if the Trump camp is interested. They may think they missed the opportunity because the events are over. This is not the case[,] we can

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<sup>4068</sup> (U) *Ibid.*

<sup>4069</sup> (U) *Ibid.* Clay told the Committee that he harbored some skepticism about the request because it had come to him through multiple other people, but still believed there was a “slim chance that this could be real.” Clay Tr. p. 49.

<sup>4070</sup> (U) Email, Clay to Dearborn, May 16, 2016 (CRC-000016).

<sup>4071</sup> (U) Dearborn Tr., pp. 82–83.

<sup>4072</sup> (U) Email, Dearborn to Kushner, Manafort and Gates, May 17, 2016 (RD 000009). Dearborn said that he was dubious of the request, and that using the phrase “an interesting request” really meant “[t]his is nutty,” but he was trying to be respectful. Dearborn Tr., p. 87.

<sup>4073</sup> (U) Email, Kushner to Dearborn, May 17, 2016 (RD 000001).

<sup>4074</sup> (U) Email, Dearborn to Clay, May 18, 2016 (CRC-000021).

<sup>4075</sup> (U) Dearborn Tr., pp. 93, 96. Dearborn was doubtful that Karem would have been able to arrange a meeting with Trump. *Ibid.*, p. 96.

[REDACTED]

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still move this forward.<sup>4076</sup> Clay continued to contact Dearborn about the possibility of a meeting, sometimes through other contacts.<sup>4077</sup> Clay's requests continued periodically through September 2016; Dearborn told the Committee that he declined Clay's attempts to broker a meeting each time, believing that it was a settled issue from the Campaign's perspective.<sup>4078</sup>

(U) By early May, Torshin's participation at the NRA annual meetings appeared limited by his ongoing health issues and he almost canceled his travel entirely.<sup>4079</sup> Torshin ultimately decided to fly from Russia to Louisville for a single day, arriving early Saturday morning, May 21, and departing early Sunday morning, May 22.<sup>4080</sup> Torshin asked Butina whether Trump would be at the convention that day, and also planned to join Keene for a private birthday dinner—which Keene had specifically rescheduled to allow Torshin to attend.<sup>4081</sup>

(U) Dmitri Osipkin, identified as the "Chairman of the Board of Foundation on Development of Perspective Defense Strategies and Technologies," joined Butina. Butina shared Osipkin's bio with Erickson,<sup>4082</sup> and in a later email to O'Neill, Erickson touted Osipkin's political connections:

*In anticipation of the coming Sunday night / Monday night international friendship dinners, please find attached the bio on the Russian banker / friend of the Kremlin that Maria is hosting in Louisville at the NRA Annual Meeting and that she will be bringing to Washington, DC on Sunday. Dmitry Osipkin is interesting and well-connected – the conduit to a range of other powerful figures within Moscow.*<sup>4083</sup>

[REDACTED]

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<sup>4076</sup> (U) Email, Yenason to Clay, May 18, 2016 (CRC-000063).

<sup>4077</sup> (U) For example, on May 20, Dearborn received an email from another staffer for Senator Sessions that "David Black . . . reached out to me about a possible meeting with Trump and some Russian diplomats at the NRA convention – facilitated by Rick Clay. He said that Rick has been in touch with you." Email, Montgomery to Dearborn, May 20, 2016 (RD 000018).

<sup>4078</sup> (U) Dearborn Tr., pp. 97–102. Dearborn did not know if the request had ever been raised with Trump. *Ibid.*, p. 102.

<sup>4079</sup> (U) Twitter direct messages, Torshin and Butina, May 11, 2016.

<sup>4080</sup> (U) Twitter direct messages, Torshin and Butina, May 11 & 16, 2016.

<sup>4081</sup> (U) Twitter direct messages, Torshin and Butina, May 19, 2016.

<sup>4082</sup> (U) Email, Butina to Erickson, May 19, 2016 (MB 0001550) (attaching bio).

<sup>4083</sup> (U) Email, Erickson to O'Neill, May 19, 2016 (PAE0002155).

<sup>4084</sup> [REDACTED]

[REDACTED]

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(U) Butina and Osipkin arrived in Louisville together on May 18 and departed for Washington, D.C., on May 22. Perrine of the NRA again helped with creating their itinerary and managing logistics.<sup>4085</sup> On May 19, Butina and Osipkin attended two dinners. First, they joined David Keene for dinner at Brendon's Catch.<sup>4086</sup> Then, they were escorted across town by police to attend a fundraiser organized by Johnny Yenason, Rick Clay, and Mark Ryan.<sup>4087</sup> According to Clay, Yenason had requested that Butina speak at the dinner because of her work on gun rights, and that Torshin speak at the dinner because of his involvement with the Russian Orthodox Church.<sup>4088</sup> Torshin was not yet in Louisville, so Osipkin attended as a "stand-in."<sup>4089</sup>

(U) While at the dinner, Butina likely met Bobby Hart, a gunsmith from Pennsylvania who is friends with Trump Jr. That evening, Hart texted Trump Jr. about Butina's interest in meeting him, and referenced a past connection to Osipkin, who had secured hunting permits for Trump Jr. and Hart in Ukraine<sup>4090</sup>.

2016-05-19 21:59:46

From + [REDACTED]

Hey Donny I'm having dinner with the president of the Russian NRA and she would absolutely love to meet with you while you're down here and invite you to their Summit that they have in Russia as her guest she is with the guy that got our license to hunt when we're there very well accomplished shooter as well

2016-05-20 10:41:22

From + [REDACTED]

I am in freedom hall are you here buddy

<sup>4085</sup> (U) Email, Butina to Erickson, May 17, 2016 (PAE0001969–74) (forwarding email exchange with Perrine and attaching itinerary).

<sup>4086</sup> (U) Calendar invitation, Perrine to Keene, "Dinner with Russian Guests," May 19, 2016 (NRA Production 0000143) (identifying by name Butina and Osipkin).

<sup>4087</sup> (U) Clay Tr., p. 20–23. The fundraiser was called "Heroes for Freedom and Liberty Dinner" and benefited the Hershel "Woody" Williams Medal of Honor Foundation.

<sup>4088</sup> (U) *Ibid.*, p. 21.

<sup>4089</sup> (U) *Ibid.*, p. 33. Over 400 people attended the dinner, including Kentucky Governor Matt Bevin and several of his cabinet members. Clay Tr., p. 27. Other attendees included Jordan Karem, who began working for Trump in July 2015 when the campaign began, later became press director for Mike Pence, and ultimately joined the White House advance team after inauguration. *Ibid.*; Steve Holland, "Trump's 'body guy' plans to leave White House soon: officials," *Reuters*, November 26, 2018.

<sup>4090</sup> (U) Text messages, Hart to Trump Jr., May 19–20, 2016 (DJTJR01282).

[REDACTED]

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According to Trump Jr., the hunting trip to Ukraine took place just before Trump Jr. traveled to Russia for the first time in 2003 or 2004.<sup>4091</sup> He did not recall Osipkin and did not appear to respond to Hart's message about Butina.<sup>4092</sup>

(U) Butina and Osipkin attended NRA meetings and receptions on May 18, May 19, and May 20.<sup>4093</sup> On May 20, Trump gave a speech, as did Trump Jr.<sup>4094</sup> Butina attended Trump's speech, but said she did not meet him during the convention.<sup>4095</sup> Keene did not recall attending the events with Butina or Osipkin, whom he described as Torshin's assistant.<sup>4096</sup>

(U) Butina and Osipkin, joined by Torshin, dined with Keene and Keene's wife on Saturday, May 20, for Keene's birthday.<sup>4097</sup> During dinner that night, Torshin, Butina and Osipkin met Trump Jr.

(U) Keene and Butina told the Committee that Keene made reservations at a different restaurant, but Keene had mistakenly brought them to Brendon's Catch, where they had eaten two nights earlier.<sup>4098</sup> The restaurant initially provided Keene's group—himself, his wife, Butina, Torshin and Osipkin—with a private room that had been reserved for an NRA function, and then relocated them when the other NRA group arrived.<sup>4099</sup> As they were being relocated, Pete Brownell, whose group of NRA members was taking the room, arrived with Trump Jr. and introduced him to Keene, Torshin, Butina, and Osipkin.<sup>4100</sup> Butina, Torshin, and Osipkin all had their photos taken with Trump Jr., some of which Butina produced to the Committee<sup>4101</sup>:

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<sup>4091</sup> (U) Trump Jr. Tr., pp. 225, 340–342.

<sup>4092</sup> (U) *Ibid*, p. 342.

<sup>4093</sup> (U) Events for Delegation from Russia, NRA Annual Meetings – Louisville, KY, May 18–22, 2016 (PAE0001391–93).

<sup>4094</sup> (U) Keene Tr., p. 151–153.

<sup>4095</sup> (U) Butina Tr., p. 224.

<sup>4096</sup> (U) Keene Tr., p. 154.

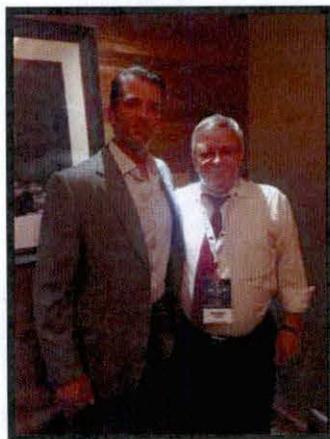
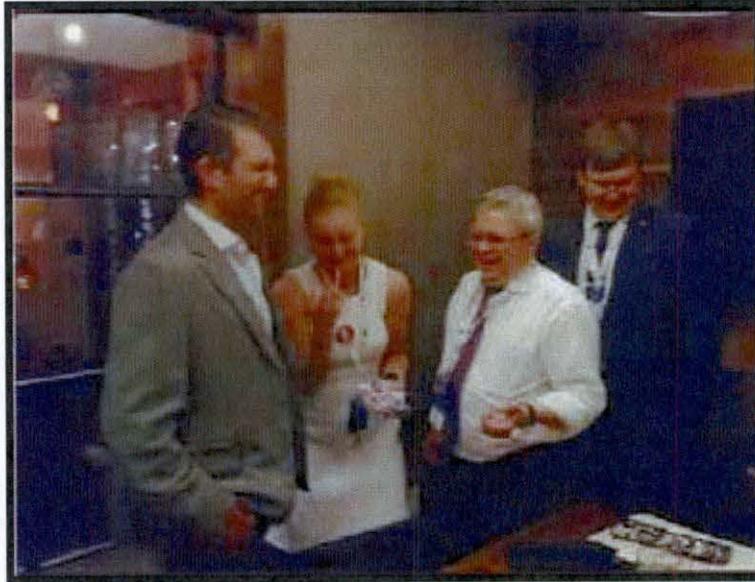
<sup>4097</sup> (U) Email, Perrine to Butina, May 18, 2016 (PAE0001970).

<sup>4098</sup> (U) Keene Tr. pp. 154–155; Butina Tr. pp. 213–214.

<sup>4099</sup> (U) Keene Tr. pp. 154–155; Butina Tr. pp. 213–214.

<sup>4100</sup> (U) Keene Tr. pp. 154–155; Butina Tr. pp. 213–214.

<sup>4101</sup> (U) Twitter direct message, Butina to Torshin, November 9, 2016 (MB 0000338) (sharing photo from Dmitry Osipkin of Butina, Osipkin and Torshin with Trump Jr.); Butina Tr., p. 211; Twitter direct message, Butina to Torshin, May 22, 2016 (MB 0000256); Twitter direct message, Butina to Torshin, May 22, 2016 (MB 0000256–57).



(U) Butina described the encounter in her interview:

*It was small talk. Mr. Torshin presented to Donald Trump Junior a coin or like something that he always had in his pockets, and he wished the best to his father, the best to Melania Trump, and the best to his family and his wife. We didn't have a lot of time to talk because they were about to have dinner, and then they walked us out to the bigger room where the NRA delegation was there having dinner with Donald Trump Junior, and asked us to introduce ourselves. I*

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*remember that because I was translating what Torshin told. He told: We are NRA life members; we are traveling from Russia.*<sup>4102</sup>

(U) Butina told the Committee that she did not report this meeting with Trump Jr. to the Russian government, but either Torshin or Osipkin might have.<sup>4103</sup> According to Butina, it was “absolutely a possibility that [the] Russian government was aware that this meeting happened.”<sup>4104</sup>

(U) Torshin himself told Butina in a Twitter message that he would “not report [about the trip] in written format,” and would instead brief the MFA verbally.<sup>4105</sup> Torshin also spoke with his “boss,” who encouraged him to continue to “develop ‘non-state relations.’”<sup>4106</sup> In addition, Torshin requested that Butina provide him with a written analysis of Trump’s remarks and those of “other high-ranking guests.”<sup>4107</sup>

(U) After the convention, Butina and Osipkin returned to Washington, D.C. for a May 23 dinner at the Army Navy Club arranged by O’Neill.<sup>4108</sup> Butina attended this dinner, called it “interesting” in messages to Torshin (who did not attend), and promised to write an assessment about it.<sup>4109</sup> Butina said that the dinner was focused on “civil society groups” and not attended by politicians,<sup>4110</sup> although Erickson referenced attendance by “Russian banking oligarchs,” and claimed that “[n]o one else is dealing with the Kremlin at this high a level today.”<sup>4111</sup>

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<sup>4102</sup> (U) Butina Tr., pp. 211–212. Keene, who was distracted at the time and may have been outside, said he did not recall a conversation taking place during the Trump Jr. encounter. Keene Tr., pp. 166–167.

<sup>4103</sup> (U) Butina Tr., pp. 211–212.

<sup>4104</sup> (U) *Ibid.*, p. 219. The Committee assesses the Russian government did have insight into this meeting, due to the fact that similar meetings were relayed to the Russian MFA. For example, in October 2016, Trump Jr. traveled to Paris where he gave remarks at a dinner hosted by the Center for Political and Foreign Affairs, a pro-Russia think tank, for a fee of approximately \$90,000. Trump Jr. Tr. II, pp. 370–372. Beforehand, Trump Jr. had lunch with Randa Kassis and Fabian Baussert, who operate the think tank. *Ibid.* Trump Jr. recalled speaking with them about the election and Syria. *Ibid.*, pp. 375–377. Kassis later wrote in a Facebook post that has since been removed: “I succeeded to pass Trump, through the talks with his son, the idea of how we can cooperate together to reach the agreement between Russia and the United States on Syria,” and press reporting suggests she passed information about their conversation to the Russian MFA. See David S. Cloud, “Donald Trump Jr.’s 2016 trip to Paris for lunch with Moscow-linked couple remains a puzzle,” *Los Angeles Times*, November 17, 2017.

<sup>4105</sup> (U) Twitter direct messages, Torshin and Butina, May 24, 2016.

<sup>4106</sup> (U) *Ibid.*

<sup>4107</sup> (U) Twitter direct messages, Torshin and Butina, May 22, 2016.

<sup>4108</sup> (U) Email, O’Neill to Butina and Erickson, May 20, 2016 (MB 0002907).

<sup>4109</sup> (U) Twitter direct messages, Torshin and Butina, May 24, 2016.

<sup>4110</sup> (U) Butina insisted that the dinners were focused on “civil society groups’ communications, when you have friendship beyond just the presidents and beyond the top level, which was normal,” akin to a “Track II” dialogue. She claimed that the phrase “back channel communication” was being used in that context. Butina Tr., pp. 228–231. K.T. McFarland was invited, but did not attend, according to Butina. *Ibid.*

<sup>4111</sup> (U) Email, Erickson to O’Neill and Butina, April 20, 2016 (PAE0000712).

[REDACTED]

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**7. (U) Efforts to Establish a U.S.-Russia Communications Channel**

(U) On July 12, Dana Rohrabacher organized a dinner at The Monocle, a restaurant near the Capitol in Washington, D.C., to discuss his position on U.S. foreign policy towards Russia.<sup>4112</sup> As previously described, Torshin and Butina had met repeatedly with Rohrabacher to discuss Russia-U.S. relations, and Rohrabacher's visits to Russia had been monitored by the Russian MFA. The guests included then-Senator Jeff Sessions and Campaign policy advisor Sam Clovis.<sup>4113</sup>

(U) According to Clovis, “[t]he whole thing was about Russia.” He told the Committee: “Rohrabacher was advocating a position that was absolutely untenable from a campaign perspective and certainly from my perspective. . . . [W]hat he proposed that night, was that we ought to be allied with Russia in dealing with the Middle East and a much stronger association, much stronger relationship with Russia.”<sup>4114</sup>

(U) Rohrabacher agreed that the event was “a lot of talk about Russia . . . I guess you might call it policy. But we were discussing what America's role should be with Russia.”<sup>4115</sup> He described the event:

*There were probably about 25 people. We had a big table. Faith Whittlesey, my old friend from the Reagan years who was U.S. Ambassador to Switzerland, was there. . . . There was one guy from the—there was one guy from the Trump campaign. He was—I don't remember his name. I do remember he was overweight and I was not impressed with him. But he was there.*

(U) Rohrabacher said there were some differences of opinion in the room, with some, including himself and Whittlesey, “advocating a cooperative effort,” while others, including Clovis, took a more “hard line” approach.<sup>4116</sup>

(U) Erickson was at the dinner as well. Clovis recalled interacting with Erickson and giving him a card.<sup>4117</sup> This interaction apparently prompted Erickson, on July 16, to email Clovis that he had been “developing a back-channel to the Kremlin for the past couple of years”:

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<sup>4112</sup> (U) Clovis Tr., pp. 87—88, 91.

<sup>4113</sup> (U) *Ibid.*, p. 91. Clovis was invited by Brandon Wheeler, a friend of Rohrabacher. Email, Clovis to Wheeler, Rohrabacher, Manafort, and Ahn, July 12, 2016 (DJTFP00012854).

<sup>4114</sup> (U) Clovis Tr., pp. 90—94.

<sup>4115</sup> (U) Rohrabacher Tr., p. 61.

<sup>4116</sup> (U) *Ibid.*, pp. 60—621.

<sup>4117</sup> (U) Clovis Tr., pp. 93—94.

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*I briefly mentioned at the Rohrabacher dinner that I've been developing a back-channel to the Kremlin for the past couple of years – really, just the recipient of their outreach. Comes now an important inquiry on that front.*

*Was Trump supporter Carter Page's recent visit to Moscow (major speech delivered a couple of weeks ago) his idea based upon his previous years in Russia, or were you (or the campaign) aware of or sanctioned his remarks?*

*Carter EXACTLY echoes the "new relationship with Russia" strains echoed at the dinner, by nominee Trump and by smart international security experts. His speech is sweeping the Russian internet AND has deeply interested the most inner circles of the Kremlin. For a host of reasons, it has further reinforced Putin's / Russia's desire for a Trump victory over a pointless "Hillary re-set" administration.*

Clovis said he did not respond to the email and did not tell anyone about receiving it, despite claiming he was "always hinky about anybody who wanted to talk about Russia."<sup>4118</sup>

(U) If Clovis had voiced his opposition to Russia so forcefully at the dinner, it is unclear why Erickson would have chosen Clovis as the target of his outreach.<sup>4119</sup> Butina told the Committee that Erickson did not tell her about this email or the nature of his outreach to the Trump Campaign.<sup>4120</sup> She was also not aware of how Erickson had developed his information about the "inner circles of the Kremlin," but posited that Erickson made these representations based on assumptions and public reporting, and not some other form of inside access.<sup>4121</sup>

(U) The following week, Erickson also reached out to George O'Neill about the "U.S./Russia friendship dinners." In the July 23 email, Erickson suggested to O'Neill that Butina wanted to add Byrne as a new member of the dinners:

*Patrick Byrne, the founding CEO of Overstock.com, met Maria last July at Freedom Fest in Las Vegas and has been stalking her ever since . . . [he] supports 'our' vision of a new dawn of relations between the two countries. He . . . would find it effortless to attend a monthly dinner in Washington with whomever*

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<sup>4118</sup> (U) *Ibid.*

<sup>4119</sup> (U) Clovis's interactions with George Papadopoulos regarding Campaign engagement with Russia are described *infra* Vol. 5, Sec. III.E.

<sup>4120</sup> (U) Butina Tr., p. 270.

<sup>4121</sup> (U) *Ibid.*, p. 265–270.

[REDACTED]

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*of our original cast might wish to dine at a given time . . . Maria VERY much wants you two to meet to compare your genius level IQ's.*

*Finally, I'd like to add Byrne to the very small circle of Maria Butina college scholarship providers (you and I and an NRA poohbah are the founding trio). Byrne is a bachelor by choice and consequences of his intellectual gifts and limitations, but is now concerned with his mortality and family legacy. Since meeting Maria, he has found ever more creative ways to pitch a standing \$1 million offer to her 'to have a baby with him.' He is utterly enamored of her imagined gene stock and believes that a baby would cement not only his familial line but also relations between our two nations . . . . I think that he could be persuaded by men like you and me to support Maria in more concrete – if less carnal – terms.<sup>4122</sup>*

Erickson forwarded the entire July 23 email to Butina, lurid details included, with the note: "For your files – the start of a conversation!!!"<sup>4123</sup>

(U) During the same time frame, Butina and Torshin exchanged messages about the Trump Campaign and their potential inroads. In early July, Butina sent Torshin a paper forecasting the results of the election, which Torshin expected to send to the MFA.<sup>4124</sup> A July 18 discussion focused on how to leverage Butina's American "contacts," particularly with respect to a Rohrabacher-associated "pro-Russian club" and Carter Page:

*Torshin: . . . How are things with Trump?*

*Butina: Trump chose the governor of Indiana, Pence, as vice-president. Pence is absolutely an NRA guy. . . .*

*Torshin: ... What are you thinking of doing with your contacts? Otherwise, if there's a [Trump] victory, they'll forget about us!*

*Butina: I think you are right. Most of all, it's necessary, as you had thought, to go to the elections as an observer from the NRA!*

*Butina: There's this pro-Russian club here – well-known senators, Trump advisors, who are for relations with the RF. It would be good to get contact with them up and running...*

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<sup>4122</sup> (U) Email, Erickson to O'Neill, July 23, 2016 (PAE0002955, 2938).

<sup>4123</sup> (U) Email, Erickson to Butina, July 23, 2016 (PAE0002955).

<sup>4124</sup> (U) Twitter direct messages, Torshin and Butina, July 3, 2016.

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**Torshin:** *Of course! Perhaps you should meet with the younger one, or is that difficult?*

**Torshin:** *And what kind of club is that? Rohrabacher and others? Give me the contact information – I’ll try to find out. . . .*

**Butina:** *Right now I would rather meet with Carter Page. He’s Trump’s advisor for the RF and heads the pro-Russian group. He was in Moscow at a meeting with Putin last year. Can you find out how we feel about him?*

**Torshin:** *I’ll try, but tomorrow. Not long ago one of his advisors was in Moscow. I don’t remember the last name.*

**Butina:** *. . . Thank you very much for the information. Carter Page is his name. This is very important. I have not yet agreed to a meeting with him. It depends on your opinion.*

**Butina:** *Regarding the younger Trump – a meeting is possible, but, more likely, with you than with me. They are crazy busy now.*<sup>4125</sup>

Despite her representations to Torshin about Page, Butina told the Committee that she had no direct contact with Page and did not have any information about his activities other than what was publicly reported.<sup>4126</sup>

(U) Although she did not meet with Page, Butina did meet several times with J.D. Gordon, a former Trump Campaign national security advisor who she first encountered at a Swiss Embassy reception on September 28.<sup>4127</sup> That evening, following the reception, Erickson connected the two by email, asserting that Gordon was “playing a crucial role in the Trump transition effort and would be an excellent addition to any of the U.S. / Russia friendship dinners you occasionally hold. His perspective on international security is informed and listened to by all the ‘right’ people in the immediate future of American politics.”<sup>4128</sup> Seizing on other comments Gordon had made to the Russian government-sponsored channel RT and his role in developing the RNC’s Ukraine platform, Butina invited him to an upcoming O’Neill dinner on October 4, at the Army Navy Club, “to discuss a future strategic alliance between Russia and America on

<sup>4125</sup> (U) Twitter direct messages, Torshin and Butina, July 18, 2016.

<sup>4126</sup> (U) Butina Tr., pp. 264–269.

<sup>4127</sup> (U) *Ibid.*, p. 275. Gordon told the Committee that he held his position on the Campaign from March until August 2016. Gordon Tr., p. 5.

<sup>4128</sup> (U) Email, Erickson to Gordon and Butina, September 28, 2016 (MB 0000010).

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issues like international terror.”<sup>4129</sup> Butina then recommended to O’Neill that Gordon, who she referred to as “Trump’s foreign policy advisor,” as well as Byrne, be invited.<sup>4130</sup>

(U) Butina told the Committee that she knew Gordon was a Trump advisor and “[h]e seemed to have a pro-Russian position, so I thought it would be beneficial if he would be in the George group because it supports U.S.-Russia relations.”<sup>4131</sup> On October 2, she advised Torshin that she was meeting with “Trump’s Russia advisors” and sought his guidance on presenting the Russian position on Trump:

*Butina: . . . On Tuesday I am meeting with Trump’s Russia advisors.*

*Torshin: Interesting!*

*Butina: What position should we hold on our side?*

*Torshin: Very carefully. Tell them according to different “surveys,” Russians have good feelings for him. About the readiness to work positively...*

*Butina: What’s from the government side? Are we ready to meet?*

*Torshin: This is a question of a completely different level! Better not ask it. You can talk about the initiative of the “prayer breakfast” of Doug Coe. And about possibility of collaboration on the NRA line.*

*Butina: Understood!*

*Torshin: We need to do it in a way so that it is clear you are the person who can provide a channel of cooperation on a sound level. . . .*<sup>4132</sup>

(U) Gordon was unable to attend the dinner, but the two continued their correspondence in an effort to meet again.<sup>4133</sup> Gordon took Butina to a Styx concert at the Warner Theater on October 18, following a happy hour.<sup>4134</sup> Butina likewise recalled meeting with Gordon at a bar

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<sup>4129</sup> (U) Email, Butina to Gordon, September 29, 2016 (MB 0000011–12).

<sup>4130</sup> (U) Email, Butina to O’Neill, September 29, 2016 (MB 0007157).

<sup>4131</sup> (U) Butina Tr., p. 276.

<sup>4132</sup> (U) Twitter direct messages, Torshin and Butina, October 2, 2016.

<sup>4133</sup> (U) Emails, Gordon to Butina, September 29 & October 5, 2016 (MB 0000013–15).

<sup>4134</sup> (U) Email, Gordon to Butina, October 13, 2016 (PAE0000724); Email, Butina to Gordon, October 13, 2016 (PAE0000730).

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in downtown Washington, D.C., possibly before the concert, where they spoke about both Gordon's and Trump's positive views on Russia:

*I told him that I support good U.S.-Russian relations and the restoration of the communication between the two countries. He was the same way. He told: Yes, I agree with, and Trump agrees with that. And that's pretty much it. But you don't hear it very often, so I was very pleased that he supports this idea.*<sup>4135</sup>

(U) Butina invited Gordon to her birthday party on November 12 and the two later exchanged emails about a happy hour in December, but Butina did not recall any further communications of substance.<sup>4136</sup> The Committee did not ask Gordon any questions about these interactions.

(U) In contemporaneous conversations with Torshin, Butina touted her meetings with Gordon, and the O'Neill dinners, as pathways to the Trump Campaign. On October 5, she wrote that she "will be connecting people from the prayer breakfast to this group" and that she was "setting up the groundwork." On October 13, she said that she had "met with the Trump[] academia wing on international policy." On October 20, when Torshin asked her what was "new with the elections campaign," she responded:

*I talk to all of Trump's Russia advisors. There are three of them. They do not have any other contacts at the RF. Just you and I. At the same time, I am working in a group that is writing proposals to him on foreign policy strategy. I have a couple of people on his staff. And you know everything about the Prayer Breakfast.*<sup>4137</sup>

**8. (U) After the Election and the 2017 National Prayer Breakfast**

(U) Butina monitored the election results closely on November 8 and reported back to Torshin on Trump's victory. They both celebrated the result as "a wonderful chance to improve American-Russian relations."<sup>4138</sup> They also believed it "important that [their] efforts are noticed," and Torshin encouraged Butina to "ask our friends about the possibility to go to the inauguration" and committed to "developing our connections."<sup>4139</sup> Butina followed up with two papers for Torshin and the MFA: "Notes about the resource base of contacts with the team of the

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<sup>4135</sup> (U) Butina Tr., pp. 277–279.

<sup>4136</sup> (U) Butina Tr., pp. 282–284.

<sup>4137</sup> (U) Twitter direct messages, Torshin and Butina, October 20, 2016.

<sup>4138</sup> (U) Twitter direct messages, Torshin and Butina, November 9, 2016.

<sup>4139</sup> (U) Twitter direct messages, Torshin and Butina, November 9, 2016.

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newly elected president of the USA Donald Trump” and “Establishment of the dialogue with the team of the newly elected president of the USA.”<sup>4140</sup>

(U) In the first paper, sent on November 10, 2016, Butina proposed that she and Torshin “use the existing personal groundwork” they had laid “in establishing informal relationships in U.S. political circles . . . for the purposes of assessing, monitoring, forecasting, and developing the policies of the [Russian Federation] vis-à-vis” the United States. Butina also explained:

*During the last 5 years, [Torshin] and Butina have constantly worked on establishing unofficial contact, based on common views and a system of conservative values, with a number of key [Republican Party] organizations in the US, including the executive level of [the Republican Party,] its intellectual establishment and [Republican Party] organizations.*<sup>4141</sup>

(U) In the second paper, sent on November 11, 2016, Butina proposed organizing a conference on building Russian-American relations under Trump. Butina recommended presenting the conference as a “private initiative” rather than a “government undertaking,” because the event would “create... a foundation for further talks on the level of government officials” without any government officials needing to attend the event.<sup>4142</sup>

(U) Torshin read the proposals and initiated contact with the MFA to seek further guidance on their American efforts. However, he was “afraid” that the MFA would “not go for it,” and in a private Twitter message, instructed Butina to proceed cautiously:

*Take notice – Trump has already received a good letter from VVP [Putin]. We cannot be in discord here. A discussion can be held but a participation of Russians cannot be arranged. The MFA cannot tell me anything about the Prayer Breakfast. In general, the MFA’s attitude toward the breakfast was formed a long time ago – it is negative! As for the inauguration, they say yes, go! About the breakfast – so far no response. I understand them – the principle is “do not harm!”*<sup>4143</sup>

(U) Despite the MFA’s reportedly “negative” attitude, Butina and Torshin worked toward securing tickets to the Prayer Breakfast. Butina was in contact with Doug Burleigh of the

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<sup>4140</sup> (U) Twitter direct messages, Torshin and Butina, November 9–11, 2016.

<sup>4141</sup> (U) United States’ Memorandum in Aid of Sentencing, *United States v. Maria Butina*, Case 1:18-cr-00218-TSC, p. 9, April 19, 2019 (quoting Maria Butina, “Notes about the resource base of contacts with the team of the newly elected president of the USA Donald Trump,” November 10, 2016).

<sup>4142</sup> (U) *Ibid.* (quoting Butina, “Establishment of the dialogue with the team of the newly elected president of the USA,” November 11, 2016).

<sup>4143</sup> (U) Twitter direct messages, Torshin and Butina, November 12, 2016.

[REDACTED]

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National Prayer Breakfast committee<sup>4144</sup> as well as its Chairman, Doug Coe. On November 15, 2016, she reported to Torshin that they had received invitations.<sup>4145</sup> Torshin's response suggested that the MFA was cautiously considering the event: "Everyone is afraid and is waiting for the order. I can't get through to the relevant deputy of Lavrov."<sup>4146</sup> Nonetheless, by November 30, the two had developed a list of nine Russians to include as part of a delegation to the Prayer Breakfast.<sup>4147</sup> By late December, the list had grown to 12, and Torshin had obtained approval from the MFA for the trip.<sup>4148</sup>

(U) Butina was transparent with Erickson as to the intent of the Russian delegation. On November 30, 2016, she told him that "[p]eople in the list are hand-picked by Mr. Torshin and me and are VERY influential in Russia. They are coming to establish a back channel of communication."<sup>4149</sup> She also advised O'Neill, on November 29, that she was "putting together a very influential delegation of Russians to the US." Erickson helped Butina draft an email intended for Burleigh, which included a suggestion that Putin might attend: "Should the next U.S. President move to thaw relations with Russia, it is extremely likely that President Putin would attend the prayer breakfast in a gesture of unity between Russian Orthodox believers and American Christians."<sup>4150</sup>

(U) Butina relayed each update of the Russian delegation to Erickson, who was assisting her in organizing their attendance at the breakfast. The delegation notably included, among others<sup>4151</sup>:

- (U) Vadim Lobov, Executive Director of the Moscow University of Industry and Finance "Synergy";
- (U) Aysen Nikolaev, Mayor of Yakutsk;<sup>4152</sup>
- (U) Sergey Shakhov, former Kremlin staffer;

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<sup>4144</sup> (U) Email, Burleigh to Butina, November 6, 2016 (PAE0001053) (forwarding Prayer Breakfast invitation).

<sup>4145</sup> (U) Twitter direct messages, Torshin and Butina, November 13–15, 2016.

<sup>4146</sup> (U) Twitter direct messages, Torshin and Butina, November 15, 2016.

<sup>4147</sup> (U) Twitter direct messages, Torshin and Butina, November 30, 2016.

<sup>4148</sup> (U) Twitter direct messages, Torshin and Butina, December 26, 2016 ("I was told at the MFA today that there are no objections to my trips . . . . The response from MFA is perfect. . . . I am serious.").

<sup>4149</sup> (U) Email, Butina to Erickson, November 30, 2016 (MB 0002872).

<sup>4150</sup> (U) Email, Erickson to Butina, October 21, 2016 (PAE0002042).

<sup>4151</sup> (U) Email, Erickson to Yushioka, Butina, and Burleigh, January 27, 2017 (PAE0001003, 1010); Butina Tr., pp. 299–306; *see also* Evgenia Pismennaya and Ilya Arkhipov, "The Butina 11: Meet the Russians 'Handpicked' for Trump Event," *Bloomberg*, December 14, 2018.

<sup>4152</sup> (U) Nikolaev is now the Head of the Sakha Republic.

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- (U) Alexander Erkhov, part owner of “Uralprivatbank”;
- (U) Alexander Karpov, owner and board member of Russian developer “GK Regiony”;
- (U) Igor Pisarsky, businessman involved in politics and public relations;
- (U) Andrey Kolyadin, former Kremlin staffer; and,
- (U) Stanislav Puginsky, part-owner of Russian law firm Egorov, Puginsky, Afanasiev & Partners.

Two last-minute additions—Kolyadin and Puginsky—obtained invitations from Rohrabacher, through Erickson and Jack Abramoff.<sup>4153</sup>

(U) On January 31, before the National Prayer Breakfast began, the Russian delegation attended one of the O’Neill “friendship dinners” at the Hotel George.<sup>4154</sup> The idea for a dinner with the Russian visitors to the National Prayer Breakfast appeared to originate with O’Neill, but was eagerly embraced by Erickson and Butina.<sup>4155</sup> In a January 22, 2016, email, Erickson suggested that O’Neill “pitch the dinner/delegation to Members of Congress or people of importance” by emphasizing the attendees’ status and Putin’s involvement:

*The Russian Federation is sending a full contingent to this year’s National Prayer Breakfast as its first semi-official delegation to the U.S. under the leadership of President Trump. (Past years might have elicited two or three attendees—this year a powerful 15.) It is consequential that the FIRST delegation is targeting the prayer breakfast – this is of a piece with President Putin’s continued emphasis on the role of the Russian Orthodox Church in Russian life. Putin would specifically like to use a common faith as a bridge between these two cultures.*

*The delegation is being led by Russian Central Bank Deputy Governor Alexander Torshin (previously President of the Russian Senate). It is populated by key mayors, university presidents and personal advisors to President Putin. Reaction to the delegation’s presence in America will be relayed DIRECTLY to President Putin and Foreign Minister Sergey Lavrov (who both had to personally approve the delegation’s travel to this event).<sup>4156</sup>*

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<sup>4153</sup> (U) Email, Abramoff to Erickson, January 5, 2017 (PAE0001334).

<sup>4154</sup> (U) Butina Tr., p. 227.

<sup>4155</sup> (U) Email, Erickson to O’Neill and Butina, January 5, 2016 (MB 0002155); Email, Butina to O’Neill, January 5, 2016 (MB 0002160).

<sup>4156</sup> (U) Email, Erickson to O’Neill and Butina, January 22, 2016 (MB 0004103).

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(U) Among the American attendees were: Rohrabacher, Congressman Thomas Massie, and Ron Maxwell, a film producer who claimed to have contact with Steve Bannon.<sup>4157</sup> After the dinner, Butina wrote to O’Neill and referenced Putin: “Our delegation cannot stop chatting about your wonderful dinner. My dearest President has received the message.” Butina told the Committee that she had “exaggerated a little bit” in the email, but nonetheless suggested that Torshin’s political connections could be used to transmit messages: “Regardless that Torshin is not the closest person, he’s still in the United Russia, which means he definitely could write a memo and try to give it in certain channels.”<sup>4158</sup>

(U) A document containing Butina’s notes from the Breakfast were recovered from her computer by the FBI.<sup>4159</sup> Butina did not produce these notes to the Committee. Although partially redacted in public filings, the notes covered a number of Butina’s activities during the Breakfast and surrounding events from January 30 to February 3. They included the O’Neill Friendship Dinner, where two individuals “really want[ed] to go to Moscow” and where the Russian representatives invited one person to the Moscow Economic Forum and another to the Russian Prayer Breakfast. The notes also indicate that Pisarsky was introduced on multiple occasions as Putin’s campaign manager.<sup>4160</sup>

(U) Butina and Torshin were briefly on a list to meet Trump during the National Prayer Breakfast. Burleigh had contacted Butina to offer her and Torshin a chance to meet President Trump in private during the Breakfast: “We have this wonderful possibility and Trump might meet you guys before the National Prayer Breakfast. So that means you have to come a couple of hours before and then there might be a green room and you might have a picture with the President.”<sup>4161</sup> Public reporting indicates that the meeting was canceled the night before, after a White House national security aide flagged Torshin as an individual with “baggage,” including ties to organized crime.<sup>4162</sup> Butina told the Committee she thought the cancellation was due to the event having been overbooked.<sup>4163</sup>

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<sup>4157</sup> (U) Email, Erickson to Butina, January 31, 2017 (MB 0004170–4171) (list of American guests); Butina Tr., pp. 229–230.

<sup>4158</sup> (U) Butina Tr., p. 234.

<sup>4159</sup> (U) United States’ Memorandum in Aid of Sentencing, *United States v. Butina*, Case 1:18-cr-00218-TSC (D.D.C. May 1, 2019), Exhibit 8. At the end of the notes, Butina wrote “Please contact Maria Butina with any questions,” suggesting that the notes might have been prepared for an audience.

<sup>4160</sup> (U) *Ibid.*

<sup>4161</sup> (U) Butina Tr., p. 314.

<sup>4162</sup> (U) Michael Isikoff, “White House pulled out of meet and greet with ‘conservatives’ favorite Russian’ over suspected mob ties,” *Yahoo News*, April 2, 2017.

<sup>4163</sup> (U) Butina Tr., p. 66.

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(U) After the event, Burleigh emailed Butina about strategically selecting invitees and appealed to their shared vision of the Russian visit: “I think this will be even more important as our President takes a deeper involvement in meeting with senior Russian leaders who are invited in the future.”<sup>4164</sup>

(U) On December 13, 2018, Butina entered a plea of guilty to conspiring to act as an unregistered agent of Russia during her time in the United States.<sup>4165</sup> Butina admitted that beginning in at least March 2015, she sought to establish and use “unofficial lines of communication with Americans having power and influence over U.S. politics,” at the direction of Alexander Torshin and for the benefit of the Russian government.<sup>4166</sup> On April 26, 2019, Butina was sentenced to 18 months in prison, including time served; she was deported to Russia on October 25, 2019.

[REDACTED]

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<sup>4164</sup> (U) Email, Burleigh to Butina, February 23, 2017 (PAE0001370).

<sup>4165</sup> (U) See Statement of Offense, *United States v. Butina*, Case 1:18-cr-00218-TSC (D.D.C. December 13, 2018).

<sup>4166</sup> (U) *Ibid.*

<sup>4167</sup> [REDACTED] For [REDACTED] the IRA’s influence operations during the 2016 U.S. election, see *infra* Vol. 2.

**I. (U) Allegations, and Potential Misinformation, About Compromising Information**

**1. (U) Introduction and Findings**

(U) Russia has a longstanding practice of collecting compromising information to attempt to influence or coerce prominent individuals, posing a potential counterintelligence threat. Allegations that the Russian government had compromising information on then-candidate Trump emerged in 2016, and were more fully made public in early 2017, through memos produced by Christopher Steele. Separate but related allegations, which were not public, in some cases predated both Steele’s memos and the 2016 U.S. presidential campaign. Collectively, the allegations raised a potential counterintelligence concern, that Russia might use compromising information to influence the then-presidential candidate’s positions on relations with Russia. The Committee sought, in a limited way, to understand the Russian government’s alleged collection of such information, not only because of the threat of a potential foreign influence operation, but also to explore the possibility of a misinformation operation targeting the integrity of the U.S. political process.

(U) Of particular concern to the Committee were the following:

[REDACTED]

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[REDACTED]

[REDACTED]

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<sup>4168</sup> (U) *DOJ OIG FISA Report*. While the *DOJ OIG FISA Report* included some of this information, the report omitted other information, and contained a potential factual error, which resulted unintentionally in a misleading portrayal of the intelligence report. Some of that portrayal from the *DOJ OIG FISA Report* has been declassified. The contents of the intelligence report, including the information which was omitted by the Inspector General, is described herein. For more information on Steele, *see infra* Vol. 5, Sec. IV.B.

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[REDACTED]

[REDACTED]

(U) In the course of the Committee's inquiry, witnesses provided information about two of Trump's three known trips to Russia. Some individuals the Committee engaged with have relationships with Trump and have traveled with him to Russia, others have never met him, and none of them were part of the Campaign. A number of witnesses told the Committee their memories were unclear, and some of the information they provided could not be corroborated. The Committee collected this testimony and other information, but it did not establish that the Russian government collected *kompromat* on Trump, nor did it establish that the Russian government attempted to blackmail Trump or anyone associated with his campaign with such information.

(U) Separate from Steele's memos, which the Committee did not use for support, the Committee became aware of three general sets of allegations. First, testimony and other information provided by several witnesses indicated that an individual named David Geovanis alleged that he had information about Trump's relationships with women in Moscow.

(U) Geovanis is a Moscow-based U.S. businessman who holds a Russian passport and may be a dual U.S.-Russian citizen. The Committee is not aware of Geovanis having any direct connection with the Trump Campaign. Geovanis has claimed that, during Trump's travel to Russia, both in 1996 and 2013, Geovanis was aware of Trump engaging in personal relationships with Russian women. Geovanis has suggested that the Russian government was also likely aware of this information.

(U) Geovanis has ties to Kremlin-linked oligarchs, several of whom are sanctioned by the United States. Some of Geovanis's contacts are also associated with Russia's intelligence and security services, and some are involved in Kremlin foreign influence operations. Geovanis, who may have been under personal financial strain since at least 2013, has said that his relationships with former members of the Russian security services are useful for doing business

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4171 [REDACTED]

[REDACTED]

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in Russia. Geovanis also has a reputation in Moscow for a pattern of conduct regarding women that could make him, and potentially those around him, vulnerable to *kompromat* operations.

(U) While the Committee is not specifically aware of Geovanis sharing his alleged information regarding Trump with the Russian government, he has not been discreet with it. He is believed to have told a number of people in Moscow and elsewhere about some of this information, at least some of whom are in the U.S. expatriate business community, and he may have also spoken to the press about it. Geovanis refused to cooperate with the Committee's investigation, and some of his communications indicate that he has recently avoided returning to the United States.

(U) The second set of allegations relate to a Moscow-based businessman, Sergey Khokhlov, who overheard two people in Moscow, in October 2015, discussing sensitive tapes of a Trump visit to Russia. He relayed what he heard to Giorgi Rtskhiladze, a friend and business associate of Michael Cohen. In October 2016, Rtskhiladze informed Cohen of the alleged tapes in Moscow, and Cohen informed Trump and several others. Cohen has said that there was no additional action taken, and that he had been aware of other similar allegations that began shortly after Trump's travel to Moscow in 2013, none of which Cohen was able to corroborate.

(U) The third set of allegations relate to an individual, then an executive at Marriott International, which is the parent company of Ritz Carlton, who overheard two other Marriott executives discussing how to handle a tape of Trump with women in an elevator at the Ritz Carlton Moscow. Neither the allegedly overheard conversation, nor the content described, could be corroborated.

(U) Apart from allegations related to Trump, the Committee found that the Ritz Carlton in Moscow is a high counterintelligence risk environment. The Committee assesses that the hotel likely has at least one permanent Russian intelligence officer on staff, government surveillance of guests' rooms, and the regular presence of a large number of prostitutes, likely with at least the tacit approval of Russian authorities.

**2. (U) Threat Posed by Russian Intelligence Services' Collection of Kompromat**

[REDACTED]

4172 [REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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4173 (U) *Ibid.*

4174 [REDACTED]

4175 (U) There was press coverage in 2011 regarding Donald Trump’s desire to run for president in 2012, which may have heightened foreign intelligence interest in him. Neil King Jr, “Trump Candidacy for White House Gaining Ground,” *The Wall Street Journal*, April 20, 2011.

4176 [REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**3. (U) David Geovanis and Potential Counterintelligence Concerns**

(U) In some circles of the U.S. expatriate business community in Moscow it has been common for visiting businessmen to be taken to nightclubs or parties where prostitutes are present.<sup>4178</sup> It is likely that Russian security or intelligence services capitalize on those opportunities to collect information.<sup>4179</sup> During the 1990s and into the 2000s, David Geovanis developed a reputation in Moscow, in part as a host for visiting businessmen.<sup>4180</sup> Several witnesses told the Committee that Geovanis also engaged in a pattern of behavior regarding women that made him, and potentially others around him, vulnerable to exploitation by the Russian intelligence and security services.<sup>4181</sup>

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<sup>4177</sup> (U) *Ibid.*

<sup>4178</sup> [REDACTED]

<sup>4179</sup> (U) *Ibid.*; SSCI Transcript of the Interview with Peter O'Brien, November 5, 2018, pp. 50-51.

<sup>4180</sup> [REDACTED]

<sup>4181</sup> (U) The Committee found multiple instances, in testimony, emails and text messages, from multiple individuals including Geovanis himself, that were corroborative of this general reputation and conduct. Some of the communications were historical, others were more contemporary. Only a limited subset of that information is

**i. Geovanis's Professional Background and Connections to Oligarchs**

(U) As previously noted, Geovanis is a Moscow-based businessman who holds a Russian passport and may be a dual U.S.-Russian citizen.<sup>4182</sup> Geovanis worked in the United States before moving to Moscow in 1991.<sup>4183</sup> In Moscow, Geovanis worked as a representative for the American investor Bennett LeBow,<sup>4184</sup> developing and investing in real estate for a Russian-American joint venture called Liggett-Ducat and for Brookemil Ltd.<sup>4185</sup> Likely starting in 1997, Geovanis worked for Soros Private Equity Partners in Moscow and London until approximately 2001 or 2002.<sup>4186</sup>

included here. [REDACTED]

<sup>4182</sup> (U) SSCI Transcript of the Interview with Robert Curran, January 14, 2019, p. 18; Email, Geovanis to LeBow, August 22, 2017 (LeBow 000413-414); Email, Email, LeBow to iikruglov@mail.ru, August 22, 2017 (LEBOW 000413-414); Somerset Coal, sales script (LEBOW 0001862); Geovanis and Anatoli Samochornov had the same legal representation. The Committee does not have any information indicating that Samochornov and Geovanis know each other.

<sup>4183</sup> (U) In Beverly Hills, Geovanis worked for Drexel Burnham Lambert, an investment firm that filed for bankruptcy in 1990. Leon Black also worked at the firm. Bennett LeBow was a significant investor with the firm and a client of Black. Geovanis, Black and LeBow all participated in Donald Trump's 1996 trip to Moscow. SSCI Transcript of the Interview with Leon Black, August 8, 2018, pp. 6-7, 15-21; Steven Pearlstein, "Icon of an Era" *The Washington Post*, February 14, 1990.

<sup>4184</sup> (U) LeBow, who has known Geovanis for many years and visited him repeatedly in Russia, refused to be interviewed by the Committee. This limited the Committee's potential understanding of Geovanis, his relationships with individuals of concern in Russia, and his allegations. LeBow made documents available for the Committee to review, but, despite the Committee's requests, refused to provide the documents, which constrained the Committee's ability to make use of them.

<sup>4185</sup> (U) Black Tr., pp. 20-23; Geovanis's professional biography from London & Regional Properties, archived version; Somersetcoal.ru, "About Us"; Bloomberg.com, "David Geovanis: Executive Profile & Biography," archived version.

<sup>4186</sup> (U) As of 2003, Geovanis served on the board of Svyazinvest, a Russian state-owned telecommunications holding company. Bloomberg.com, "David Geovanis: Executive Profile & Biography," archived version.

Geovanis may have been on the board of Svyazinvest as a representative of the Cyprus-registered Mustcom, which was affiliated with Soros. Valeria Korchagina, "Did Soros Finally Exit Svyazinvest?" *The Moscow Times*, March 18, 2004. A close Geovanis friend, Robert Curran, believed that Geovanis had been let go from his work with Soros and did not believe that Geovanis and Soros had an ongoing relationship. Curran Tr., pp. 34-36.

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(U) In 2001 or 2002, Geovanis went to work as a Managing Director for Oleg Deripaska's Basic Element investing in real estate.<sup>4187</sup> Oleg Deripaska is one of the Kremlin's most significant malign influence operatives, has close ties to the Russian intelligence services, and has been involved in the targeting of foreign elections.<sup>4188</sup>

(U) According to Robert Curran, a longtime close friend of Geovanis:<sup>4189</sup>

*The way I understand it is that Oleg amassed this huge conglomerate of aluminum companies, and related resource companies, and he did so in a manner that would be considered less elegant in the west. . . . And he basically needed a guy that looked good on paper, that had some basic banking contacts in the west, and could go to a meeting and talk reasonably intelligently to western bankers to finance whatever operations he had there. So basically, David—although he had very few responsibilities at the actual company—he was just kind of the white guy that they brought in to help along with these meetings with westerners. From what I understand, it was a pretty cushy job. He was getting paid a lot of money, and his biggest complaint was he had nothing to do. So, they'd just basically say, David, we need you to go to this meeting or that meeting. He had a big name in the company, he didn't do much, and I think eventually he lost interest, and he lost favor. I think he had very little actual contact with Oleg aside from these meetings, and eventually they went their separate ways.<sup>4190</sup>*

(U) By 2007 or 2008, after leaving Basic Element, Geovanis went to work for the investment firm London and Regional properties, again involved in real estate.<sup>4191</sup> By 2012 Geovanis was working at TPS Group, which also invests in real estate and is associated with

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<sup>4187</sup> (U) Geovanis also appears to have served as Managing Director at Kanchen Energy Capital, registered in Jersey, which is linked to Deripaska and Basic Element. Curran Tr., p. 35; Bloomberg.com, "David Geovanis: Executive Profile & Biography," archived version.

<sup>4188</sup> (U) Geovanis worked on the Rodina hotel in Sochi, which is owned by Deripaska. Somerset Coal, sales script (LEBOW 0001862). For more on Deripaska and his connection to Russian intelligence services and the Russian government, see *infra* Vol. 5, Sec. III.A.8.i.

<sup>4189</sup> (U) Curran, who has known Geovanis since college, lived with Geovanis in Moscow for five or six years in the early-mid 1990s. As of early 2019, Curran was still in regular contact with Geovanis. As part of his professional photography work, Curran's photograph titled "The Capitalist" includes Geovanis and women who were models in Moscow at the time. Curran told the Committee that a number of his photographs hang in the Trump SoHo hotel and that one of them was given to Ivanka Trump as a gift by Alex Sapir, who is a friend of Curran. Curran recalled emailing with Ivanka Trump regarding the photographs that would be used in the hotel. Curran Tr., pp. 8, 38-39, 13-15.

<sup>4190</sup> (U) Curran Tr., pp. 31-33. Felix Stater, who knows Geovanis and has been to his apartment in Moscow, claimed to have not spoken to him in more than 10 years but was aware of Geovanis's work for Deripaska. Sater Tr., pp. 310-311.

<sup>4191</sup> (U) Bloomberg.com, "David Geovanis: Executive Profile & Biography," archived version.

[REDACTED]

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Arkady Rotenberg, a Russian oligarch closely connected to Putin. Rotenberg is now sanctioned by the United States along with his brother and son.<sup>4192</sup>

(U) Curran suggested to the Committee that, by 2013, Geovanis was having financial trouble.<sup>4193</sup>

(U) Following the 2016 U.S. election, Geovanis traveled to the United States. In January of 2017, while in the United States, Geovanis met with Bennet LeBow, who subsequently offered Geovanis a job working for LeBow's company, Somerset International, which sells machines for processing coal.<sup>4194</sup> The company, Somerset, did not have a presence in Russia at the time, and LeBow hired Geovanis to start a Russia-based office. Curran told the Committee that Geovanis' efforts to sell Somerset machines in Russia were not going well.<sup>4195</sup> According to Curran, Geovanis "mentioned that he went to Oleg [Deripaska] at one point to see if he could introduce him to some of these coal barons...he went to Oleg and said, help me out, I got this new job and I want to hold on to it."<sup>4196</sup>

(U) Somerset's sales script advertises Geovanis's connection to Deripaska, as well as to Roman Abramovich, Viktor Vekselberg, Arkady Rotenberg,<sup>4197</sup> Alexander Ponomarenko<sup>4198</sup> and

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<sup>4192</sup> [REDACTED] Arkady Rotenberg and his brother Boris Rotenberg were sanctioned by the United States in 2014, and his son, Igor Rotenberg, was sanctioned by the United States in 2018. *See* Treasury, "Treasury Sanctions Russian Officials, Members Of The Russian Leadership's Inner Circle, And An Entity For Involvement In The Situation In Ukraine," March 20, 2014; Treasury, "Treasury Designates Russian Oligarchs, Official, and Entities in Response to Worldwide Malign Activity," April 6, 2018; [REDACTED]

[REDACTED] While at TPS Group in 2012, Geovanis was in contact with LeBow regarding an "investment opportunity" that Geovanis hoped to propose to Leon Black. Using vague descriptors rather than names, Geovanis suggested that the investment would be a good way for Apollo to "ingratiate" itself likely with Putin, and that Putin would vouch for investing with TPS given his close relationship likely with Rotenberg. *See* Email, Geovanis to LeBow, March 28, 2012 (LEBOW 0000093).

<sup>4193</sup> (U) Curran Tr., p. 11-12.

<sup>4194</sup> (U) Email, Geovanis to LeBow, January 20, 2017 (LEBOW 0000110); Email, LeBow to Geovanis, January 27, 2017 (LEBOW 0000113). On that trip Geovanis also met, separately, with Liebman in New York, and stayed with Curran in Florida. Curran Tr., p. 65-66; Liebman Tr., p. 20; *see also* Black Tr., p. 22.

<sup>4195</sup> (U) Curran Tr., pp. 30-31.

<sup>4196</sup> (U) *Ibid.*, pp. 33-34. The timing of Curran's recollection is unclear, but it may not be consistent with private representations Geovanis has made to Somerset. *See* Email, Geovanis to LeBow, March 1, 2019 (LEBOW 0002938).

<sup>4197</sup> [REDACTED]

<sup>4198</sup> [REDACTED]

[REDACTED]

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Nikolay Tsvetkov, several of whom are sanctioned by the United States and have close ties to the Kremlin or Russian intelligence.<sup>4199</sup> Geovanis's deputy at Somerset's Russia office formerly worked for the Russian security services.<sup>4200</sup>

[REDACTED] Additionally, as of 2017, Geovanis served on the Supervisory Board of 4Finance, a company based in Latvia that is controlled by Russian oligarch Oleg Boyko.<sup>4201</sup> Boyko has concerning ties to the Russian government, to Russian intelligence and security services, and to organized crime. [REDACTED]

[REDACTED] Moldovan press has reported that Boyko was involved in a Kremlin-backed foreign election influence operation there.<sup>4203</sup>

(U) Geovanis has been associated with the Russian state-funded Skolkovo Foundation and technology park, which has been controlled by U.S.-sanctioned Putin-associate Viktor

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<sup>4199</sup> (U) Somerset Coal, sales script (LEBOW 0001862). In some communications reviewed by the Committee, Geovanis used vague language to avoid the direct use of these individuals' names, and Putin's name, in emails.  
<sup>4200</sup>

[REDACTED]

In a 2007 interview, Geovanis said that he sometimes plays hockey with veterans of the FSB and Russian Federal Protective Service (FSO), which he said could be useful for doing business. Nikolai Fedyanin, "David Geovanis: Home and life of a foreigner in Russia," *Salon*, 2007. Curran told the Committee that Geovanis, "is a developer and promoter, so he tends to embellish, particularly in interviews." Curran Tr., p. 28. On August 25, 2017, Geovanis emailed LeBow a link to a May 9, 2016, photo of Putin and Sergei Khlebnikov, who is Lieutenant General in the FSO leadership. The email's subject line was, "Kremlin Commandant," but contained no further information. Email, Geovanis to LeBow, August 25, 2017 (LEBOW\_0000417); Khlebnikov has been the president of the Kremlin Horse Riding School, and Geovanis has been on the board. Somersetcoal.ru, "David Geovanis," archived version. "The first equestrian art festival in Russia was held in Grozny," *Tass.ru*, September 28, 2011; The FSO is Russia's equivalent of the U.S. Secret Service and is closely associated with Vladimir Putin. "The improbable careers of Vladimir Putin's bodyguards; Proximity is power," *The Economist*, June 22, 2019.

<sup>4201</sup> (U) 4finance.com, "4finance Announces Management and Board," June 30, 2017.  
<sup>4202</sup>

[REDACTED]

<sup>4203</sup>

[REDACTED]

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Vekselberg.<sup>4204</sup> Geovanis encouraged his current company, Somerset, to establish its Russia office at Skolkovo, which it did.<sup>4205</sup> The FBI has warned that the Skolkovo Foundation “may be a means for the Russian government to access our nation’s sensitive or classified research, development facilities and dual-use technologies with military and commercial applications.”<sup>4206</sup> An outside paper published by the U.S. Department of Defense indicates that the Skolkovo Foundation is involved in the development of sensitive military technologies for Russia, and that “sophisticated physical security, consisting of cameras, thermal imaging, and alarms, also suggest that not all of the center’s efforts are civilian in nature.”<sup>4207</sup>

[REDACTED]

(U) As of June, 2018, Geovanis was aware of media and Committee interest in him and seemed to be avoiding returning to the United States.<sup>4211</sup>

**i. (U) Geovanis’s Perceived Access to Trump in 2016**

(U) The Committee is not aware of Geovanis having any direct connection with the Trump Campaign.<sup>4212</sup> Nevertheless, Geovanis referred to his connections to Trump in emails

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4204 [REDACTED]

4205 (U) Email, Geovanis to LeBow, February 10, 2017 (LEBOW 0000116).

4206 (U) Lucia Ziobro, “FBI’s Boston office warns businesses of venture capital scams,” *Boston Business Journal*, April 4, 2014.

4207 (U) Seth Elan, “Russia’s Skolkovo Innovation Center,” *EUCOM Strategic Foresight*, July 29, 2013, p. 5.

4208 [REDACTED]

4209 [REDACTED]

4211 (U) Emails, S. Geovanis to A. Geovanis, June 12, 2018 (S. Geovanis Production); Email, Geovanis to Potter, June 11, 2018, (S. Geovanis Production).

4212 (U) The Committee asked several witnesses from the Trump Campaign and Trump Organization whether they had met or heard of Geovanis, and none had. *See* Cohen Tr. II, p. 335; Graff Tr., p. 115; Kushner Tr. II, p. 160; Bannon Tr., p. 383.

[REDACTED]

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around the time of the campaign, and others around Geovanis also seemed to be aware of these connections.

(U) On May 17, 2016, Geovanis forwarded LeBow an outreach email from a journalist regarding Donald Trump and Russia. Geovanis wrote, “will not comment, unless the Donald wants me to.”<sup>4213</sup> On August 8, 2016, Geovanis emailed Curran to notify him that Trump had listed Howard Lorber as one of Trump’s economic advisors.<sup>4214</sup> Other individuals in the expatriate business community in Moscow believed that Geovanis had a connection to Lorber.<sup>4215</sup>

(U) On August 15, 2016, Curran emailed Geovanis a press article regarding Paul Manafort and Ukraine, writing, “Your friend Oleg [Deripaska] and Donald are mentioned.”<sup>4216</sup>

(U) On October 23, 2016, Geovanis responded to an invitation to a upcoming holiday dinner in Moscow. He wrote to a group of U.S. expatriate businessmen, “I’m in, unless Donald wins and appoints me as Ambassador.”<sup>4217</sup> During the campaign, Geovanis also sent at least one Trump-related email that he signed “Mr. Ambassador.”<sup>4218</sup> Curran told the Committee:

*I think [Geovanis] had a brief fantasy for a second that Trump would make him an ambassador. It was sheer fantasy. I remember he actually looked in to some of the qualifications and different levels of scrutiny—that he felt that once he looked into it that—I said, you’re crazy. No one is going to make you ambassador.<sup>4219</sup>*

(U) On November 10, 2016, Geovanis wrote to LeBow that “everyone in Moscow” was excited about Trump’s victory and the prospect of “normalizing relations.”<sup>4220</sup> Geovanis and LeBow then made plans to meet in January 2017, when Geovanis would be traveling to the United States.

#### 4. (U) Trump’s Travel to Moscow in 1996

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<sup>4213</sup> (U) Email, Geovanis to LeBow, May 17, 2016 (LEBOW 0000096).

<sup>4214</sup> (U) Email, Geovanis to Curran, August 8, 2016 (Curran Production).

<sup>4215</sup> (U) See, e.g., Text messages, McFarren and [REDACTED] (MCFARREN-SSCI 655). LeBow sent an image regarding Russia to Lorber in October of 2017 and noted in the subject line that it was “[f]rom David Geovanis.” Email, LeBow to Lorber, October 9, 2017 (LEBOW 0000494).

<sup>4216</sup> (U) Email, Curran to Geovanis, August 15, 2016 (Curran Production).

<sup>4217</sup> (U) Email, Geovanis to O’Brien, et al., October 23, 2016 (O’Brien Production). On December 6, 2016, O’Brien emailed the group regarding the upcoming holiday party, stating “maybe David can entice Donald over with some old friends.” Email, O’Brien to Geovanis, et al., December 5, 2016 (MCFARREN-SSCI 256).

<sup>4218</sup> (U) Email, Geovanis to Curran, August 8, 2016 (Curran Production).

<sup>4219</sup> (U) Curran Tr., p. 53.

<sup>4220</sup> (U) Emails, Geovanis and LeBow, November 10, 2016 (LEBOW 0000105).

[REDACTED]

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(U) Donald Trump and David Geovanis likely first met during Donald Trump’s travel to Moscow in November 1996, with other U.S. investors, to explore real estate development opportunities.<sup>4221</sup>

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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<sup>4221</sup> (U) Based on information provided by the Trump Organization, witnesses, and open source reporting, the Committee is aware of Donald Trump making three trips to Russia, 1987, 1996, and 2013, all of which have been publicly reported. Documents produced by the Ritz Carlton Moscow indicate that a guest named Donald Trump stayed at the hotel in late January 2008, and late June 2011. Based on open source reports these records likely refer to Donald Trump Jr. Email, Kuhlen to Walia, et al., January 11, 2017 (RC-Moscow 010). Michael Crowley, “Trump Jr.’s love affair with Moscow,” *Politico*, July 12, 2017. Oren Dorell, “Donald Trump’s ties to Russia go back 30 years,” *USA Today*, February 15, 2017; The Committee found no evidence to support the reported claim, made by Sergei Millian, that Trump traveled to Russia in 2007 to attend the Millionaire’s Fair. Catherine Belton, “The shadowy Russian émigré touting Trump,” *Financial Times*, November 1, 2016.

<sup>4222</sup> [REDACTED]

<sup>4223</sup> [REDACTED] This information may be partially corroborated by communications provided by LeBow. See Email, Geovanis to LeBow, January 27, 2017 (LEBOW 0000113).

[REDACTED]

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[REDACTED]

(U) Several U.S. businessmen, architects, and other individuals took part in the 1996 trip.<sup>4225</sup>

(U) Curran understood that “David was kind of like assigned to show [Trump] around town, take him to dinner.”<sup>4226</sup> Leon Black, who participated in the trip, told the Committee that Geovanis had “very good social skills” but was “probably not as serious analytically” and was “more junior.”<sup>4227</sup> Black explained:

*[Geovanis] was I guess a combination of kind of knowing the geography, since he lived there, and knowing various people and had developed various relationships. Back then you had the mayor, who was Luzhkov, and you had an artist named Tsereteli. He was always putting different people together with different people.*<sup>4228</sup>

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<sup>4224</sup> [REDACTED] The Committee is only aware of travel by Trump to Russia in 1987, 1996, and 2013.

<sup>4225</sup> (U) Those individuals likely included Bennett LeBow, Leon Black, Howard Lorber, Ron Bernstein, Theodore Liebman, and Matthew Calamari. Liebman Tr., p. 35-36; see also Igor Tabakov, photographs published by the Associated Press, 1996; Black Tr., pp. 23–26 (“Mr. LeBow was the senior partner and Howard was a partner, but I think it was more LeBow in charge.”).

<sup>4226</sup> (U) Curran Tr., pp. 41–42.

<sup>4227</sup> (U) Apart from Geovanis, Leon Black is, or has been, connected to several entities and individuals that appear elsewhere in this Report. Black served on the board of the Russian Direct Investment Fund (RDIF) until 2014, and has previously met with Kirill Dmitriev. Black Tr., pp. 7–12. In 2011, Black reportedly met one-on-one with Vladimir Putin. “Putin gets SWF, PE backing for Russia fund,” *Reuters*, September 16, 2011. Black also knows Oleg Deripaska, and has interacted with him in Russia and the United States prior to Deripaska being sanctioned by the United States in 2018. *Ibid.*, pp. 30–33. Black knows Allen Vine, whom Black described as “consigliere” to the Russian oligarch Suleiman Kerimov, who was sanctioned by the United States in 2018. *Ibid.*, pp. 42–44. Black told the Committee, “Steve Bannon and I have a common friend, and I went over to see my friend and Bannon was meeting him for breakfast. And so on two occasions I spent time talking to Steve Bannon.” *Ibid.*, pp. 40–41. Black noted a personal, but not close, relationship with Jared Kushner and Ivanka Trump, as well as a business transaction between Apollo and Kushner Companies that Black was not involved in, or aware of, until after the fact. *Ibid.*, pp. 18–19.

<sup>4228</sup> (U) *Ibid.*, p. 21. Black told the Committee: “I remember various Georgian feasts at Tsereteli’s place, and there were loads of government officials that would come in and out of those dinners,” but Black did not recall which Moscow trips those dinners occurred on. *Ibid.*, p. 24. Black told the Committee he had not spoken to Geovanis in 15 years. *Ibid.*, p. 21.

[REDACTED]

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(U) Early in Trump’s Moscow trip a party was hosted by the Brooke Group, for Trump, at a room called “The Library” at the Baltshug Kempinski Hotel, where the group of American investors likely stayed.<sup>4229</sup>

[REDACTED]

(U) At the party, Trump may have begun a brief relationship with a Russian woman named [REDACTED]. Theodore Liebman, an architect who lived in Moscow and New York in the 1990s, and who traveled to Russia with Trump and the other investors from the Brooke Group, attended the event.<sup>4231</sup> According to Liebman, shortly before the party Geovanis had a chance encounter with [REDACTED] who Geovanis knew, and Geovanis invited her to the Brooke Group party.<sup>4232</sup>

(U) Liebman told the Committee:

*I went down to the party with David. He drove me....When we arrived, she [REDACTED] was walking out of the Kempinski and knew David....[David] said: “Why don’t you come to a party? We’re having a party upstairs for Donald Trump”. . . he said: “It’s a cocktail party. You should come. Donald Trump is going to be there.” And she said: “Okay. When does it start?” “In a few minutes. We’re going to go up and check the room.”<sup>4233</sup>*

(U) Curran told the Committee that, based on what Geovanis told him, “I think [Trump and [REDACTED] might have had a brief romantic relationship,” and that “[Geovanis] said then that

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<sup>4229</sup> (U) Liebman Tr., pp. 14-15, 32; Black Tr., p. 23.

<sup>4230</sup> [REDACTED]

<sup>4231</sup> (U) Liebman Tr., pp. 14-15.

<sup>4232</sup> (U) Liebman Tr., pp. 16-17. [REDACTED] was the winner of the [REDACTED] beauty pageant [REDACTED] Miss Moscow [REDACTED] which later became Miss Russia. Curran told the Committee that, after the fall of the Soviet Union, Curran was a judge for the contest, and met [REDACTED] who he dated for a brief period in the 1990s. During that relationship, which Curran said was not serious, Curran introduced [REDACTED] to Geovanis, with whom Curran was living at the time. Curran Tr., pp. 8-9, 52, 55-57; [REDACTED]

<sup>4233</sup> (U) Liebman Tr., p. 17.

[REDACTED]

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he saw them before he left and then he saw them again together . . . I'm not sure if it was the next day or a subsequent day or whatever. I do remember he said that he saw them together."<sup>4234</sup>

(U) Several historical press reports, some of which are Russian, indicate possible contact subsequent to the Moscow trip. One [REDACTED] article from 1998 reported:

*. . . Donald Trump warmly welcomed the guests, among whom was the charming [REDACTED], "Miss Moscow [REDACTED]. Trump recalled that two years ago, during his stay in Moscow, [REDACTED] was for him the most beautiful hostess of the capital, whose charms were not overshadowed even by Claudia Schiffer and Tina Turner, who lived in the same hotel. He recalled with pleasure the excellent company with which he spent time in Moscow."*<sup>4235</sup>

(U) In a 2007 interview [REDACTED] was asked about her interactions with famous people, including Trump. [REDACTED] was quoted as stating:

*With some I was briefly met by chance, while others there was a much longer relationship due to mutual affection. For example, Trump is a person who I like very much. I cannot call him a friend, because we do not call up and do not meet daily, but perhaps we would live in the same city (I am in New York or he would be in Los Angeles), we would communicate more closely. Let's just say we are on a friendly footing."*<sup>4236</sup>

(U) Following Trump's travel to Moscow in 1996, Geovanis may have had some contact with Trump in the United States. Curran told the Committee, "I know he [Geovanis] went and met with him [Trump] in New York at some point . . . David told me he went up to see Donald in Trump Tower," possibly in the late 1990s.<sup>4237</sup>

(U) During and after the 2016 election, Curran and Geovanis continued to communicate about Geovanis's relationship with Trump, and in some cases, [REDACTED].<sup>4238</sup>

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<sup>4234</sup> (U) Curran Tr., pp. 59, 80–81; Curran, who did not attend the Brooke Group party, recalled that Geovanis told him at the time, "I ran into your girlfriend, and I was with Donald, and I introduced her to Donald, and they are kind of hanging out." Curran said that he did not have clear or direct knowledge of this relationship firsthand, and that his understanding of it came from what Geovanis had relayed to him in 1996 and again in 2017. Curran Tr., pp. 80–81; Written Responses, Curran, November 8, 2018.

<sup>4235</sup>

<sup>4236</sup>

<sup>4237</sup> (U) Curran Tr., pp. 43–44.

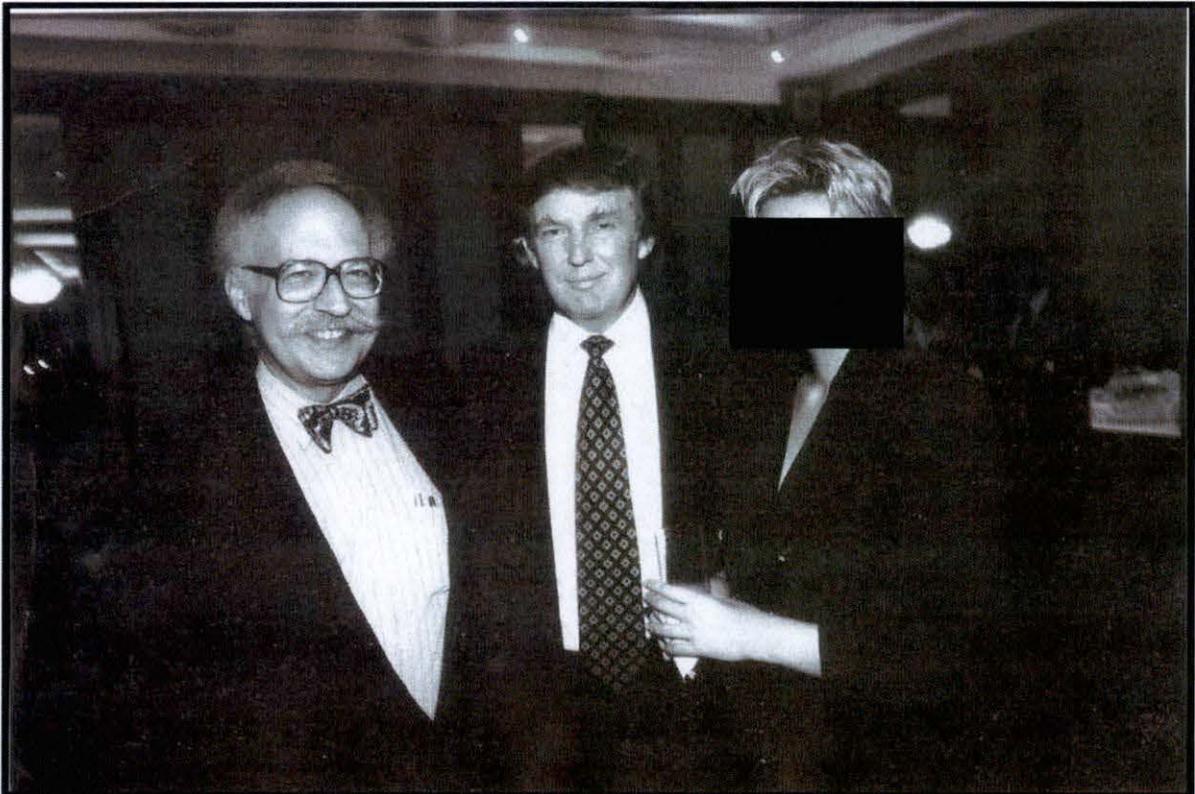
<sup>4238</sup> (U) On May 4, 2016, Curran forwarded a news article to Geovanis regarding Donald Trump's high likelihood of securing the nomination. Curran wrote, "To think we're one degree apart this to miss Russia and you [sic]."

[REDACTED]

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(U) In January 2017, Geovanis, who was in the United States, visited Liebman at his apartment in New York and asked if Liebman had any photographs from the 1996 Brooke Group party at the Kempinski. Liebman told the Committee that he had not seen Geovanis in a number of years prior to this.<sup>4239</sup>

(U) On January 29, 2017, Liebman emailed Geovanis the photograph below, likely from 1996, depicting Trump and [REDACTED] at Geovanis's request.<sup>4240</sup>



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Email, Curran to Geovanis, May 4, 2016 (Curran Production).

<sup>4239</sup> (U) Liebman Tr., p. 23.

<sup>4240</sup> (U) Email, Liebman to Geovanis, January 29, 2017 (Curran Production); Curran Tr., pp. 55–56. From left to right the photo shows: Theodore Liebman, Donald Trump, and [REDACTED]. Written Responses, Curran, November 8, 2018.

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(U) The next day, Geovanis forwarded the photograph to Curran by email, with no message text. Curran told the Committee that, following Geovanis’s meeting with Liebman in New York, Geovanis traveled to Miami and stayed with Curran for several days. During that visit they discussed the Brooke Group party in Moscow.<sup>4241</sup>

(U) On January 31, 2017, Geovanis emailed Curran the photo below, showing Geovanis with Trump and others. The email had no text:<sup>4242</sup>



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<sup>4241</sup> (U) Email, Geovanis to Curran, January 30, 2017 (Curran Production); During Geovanis’s early 2017 visit, Curran asked Geovanis, “What exactly happened . . . did they hook up, or whatever?” According to Curran, Geovanis responded, “yeah, well, I saw them again the next day and they were together, so.” Curran Tr., pp. 16, 61.

<sup>4242</sup> (U) The photograph, likely taken at Brooke Group party, shows from left to right: David Geovanis’s then-wife [REDACTED], Donald Trump, Leon Black and David Geovanis. Written Responses, Curran, November 8, 2018. Curran did not identify Black. The full image appears to show that this is a framed photograph, of which a photograph was taken with a cellphone. Email, Geovanis to Curran, January 31, 2017 (Curran Production).

[REDACTED]

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(U) Black told the Committee that he did not recall any compromising behavior during the trip.<sup>4243</sup> Black also did not recall the event in the photograph.<sup>4244</sup> Black did recall going to a concert with Trump, followed by a “discotheque” where they may have met others, potentially including Geovanis, but Black’s memory was unclear.<sup>4245</sup> Black later added that he and Trump “might have been in a strip club together.”<sup>4246</sup>

(U) Geovanis is believed to have told others in Moscow, and elsewhere, of his 1996 interactions with Donald Trump. It is not clear if these allegations are related to, or separate from, the interaction with [REDACTED] that was previously described.

(U) Peter O’Brien, the former CFO of the Russian government-controlled firm Rosneft, has hosted an annual holiday dinner for expatriate U.S. businessmen in Moscow.<sup>4247</sup> Likely at the holiday dinner in December of 2015, which more than 20 businessmen attended, a number of individuals were telling stories or jokes and Geovanis was encouraged to tell a story about a Trump visit to Moscow, the timing of which is unclear, that a number of people in the room had already heard from Geovanis.<sup>4248</sup>

(U) O’Brien recalled Geovanis talking about “spending time with [Trump] during that trip, and the mention of Trump being with younger women, including in official meetings, which some people in Russia thought was weird.”<sup>4249</sup> O’Brien, who said his recollection was vague, told the Committee:

*[Geovanis] told a little bit about how [Trump] had spent time going around to some different meetings in Moscow to talk about potential real estate deals. And the culmination of the story was that [Trump] had a meeting in the Moscow mayor’s office and he showed up with two beautiful young women on his arm, and people thought that was kind of strange. A, that he was with them, and B, that he hadn’t just left them wherever he met them.*<sup>4250</sup>

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<sup>4243</sup> (U) Black Tr., pp. 27, 37, 39.

<sup>4244</sup> (U) Written Responses, Black, November 21, 2018.

<sup>4245</sup> (U) Black Tr., p. 27.

<sup>4246</sup> (U) *Ibid.*, p. 37.

<sup>4247</sup> (U) Email, O’Brien to SSCI, October 4, 2018. O’Brien Tr., p. 11; O’Brien told the Committee that he has known Igor Sechin for many years. *Ibid.*, p. 98. Sechin is a close associate of Putin.

<sup>4248</sup> (U) Email, Courtney to O’Brien, et al., December 16, 2015 (O’Brien Production) (attaching images of the event); Peter O’Brien provided a written response to the Committee, stating that, “David spoke about a visit Mr. Trump had made to Russia at least several years prior” to 2015. Written Responses, O’Brien, October 4, 2018. In an interview with the Committee on November 5, 2018, O’Brien stated that he believed Geovanis to be describing a trip to Moscow by Trump in the “early 2000s.” O’Brien Tr., p. 21. As previously noted, the Committee is unaware of travel by Trump to Russia other than in 1987, 1996, and 2013.

<sup>4249</sup> (U) O’Brien Tr., p. 21.

<sup>4250</sup> (U) *Ibid.*, pp. 23–24.

(U) According to O'Brien, "The implication of his story was that [Trump] had spent the night with these two women and showed up at this first meeting the next day."<sup>4251</sup> O'Brien explained:

*For years in Russia there were a number of Russian government officials or others who were exposed in these strip clubs doing not very nice things that their wives, if they have wives, probably didn't know about. I think most of us appreciated that there was that risk in these types of clubs. So, I think once David told that story, we were all concerned about that.*<sup>4252</sup>

(U) There are indications that Geovanis may have also told this story to the press. A February 2018 story in *The New Yorker* includes an anecdote that closely resembles the one allegedly told by Geovanis.<sup>4253</sup>

(U) Almost a year later, on October 22, 2016, O'Brien sent an invitation email to the group of expatriate businessmen, including Geovanis, regarding the 2016 holiday dinner in Moscow. In that email, O'Brien wrote, "I keep thinking that VVP [Putin] must have some great material on Donald."<sup>4254</sup> O'Brien told the Committee that this comment was based only on Geovanis's comments at the holiday dinner the prior year.

#### 5. (U) Trump's Travel to Moscow in 2013

[REDACTED]

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<sup>4251</sup> (U) *Ibid.*, p. 51.

<sup>4252</sup> (U) O'Brien Tr., p. 50.

<sup>4253</sup> (U) Jeffrey Toobin, "Trump's Miss Universe Gambit," *The New Yorker*, February 19, 2018.

<sup>4254</sup> (U) *Ibid.*

<sup>4255</sup> [REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

(U) Two individuals told the Committee that they recalled Geovanis describing spending time with Trump during Trump’s 2013 trip to Moscow for the Miss Universe pageant.<sup>4257</sup>

(U) Bob Foresman’s recollection was vague, but he told the Committee:

*I remember some involvement that he [Geovanis] had had with Trump when he came for the beauty pageant. I think was what it was. So David Geovanis was the only person that I had ever met, to the best of my recollection, that had had anything to do with Donald Trump coming to Russia for this beauty pageant or whatever it was.*<sup>4258</sup>

(U) William McFarren, whose memory was also vague, told the Committee that Geovanis gave a toast at a holiday gathering, likely the same expatriate holiday dinner described above. According to McFarren, “To the best of my recollection, Mr. Geovanis said that he showed Mr. Trump around Moscow during the Miss Universe pageant in 2013. He did not get into specifics, but intimated that there was partying and that Mr. Trump should be nice to him in

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<sup>4256</sup> [REDACTED]

<sup>4257</sup> (U) Foresman Tr., p. 221; Written Responses, McFarren, January 18, 2019; Geovanis had previously been involved in other corporate sponsored pageants in Russia. Curran Tr., pp. 44–45. *See also* Emails, Geovanis and S. Geovanis, April 8–9, 2018 (S. Geovanis Production).

<sup>4258</sup> (U) Foresman Tr., p. 221. Foresman could not recall where or when he heard Geovanis talk about this, but that it may have been at one of the expatriate holiday dinners in Moscow.

[REDACTED]

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light of the information he had.”<sup>4259</sup> The latter part of this statement may have been made in jest.<sup>4260</sup>

(U) The Committee notes that Shugart, who was responsible for the 2013 Miss Universe pageant, told the Committee that she had never heard of Geovanis and did not recognize his picture.<sup>4261</sup> Schiller, who assisted Trump at the pageant, also said he did not recognize Geovanis’ picture.<sup>4262</sup> Emin Agalarov told the Committee that he did not know Geovanis.<sup>4263</sup>

(U) Other allegations regarding the 2013 Miss Universe pageant have originated from sources other than Geovanis, or at least cannot be clearly linked to him. For example, as discussed elsewhere in this Report, Schiller told the Committee that, on the 2013 trip, an unknown individual approached him with an offer of women for Trump, and that Schiller declined.<sup>4264</sup>

(U) Separately, a former executive at Marriott International, of which Ritz Carlton is a part, said that shortly after the 2013 Miss Universe contest he overheard two other Marriott executives at a small corporate gathering discussing a recording from one of the elevator security cameras at the Ritz Carlton Moscow.<sup>4265</sup> One of the Marriot executives who was involved in the conversation—previously a manager of the Ritz Carlton Moscow—had clearly seen the video,

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<sup>4259</sup> (U) Written Responses, McFarren, January 18, 2019. McFarren described the holiday gathering as “a loud dinner at a crowded steak restaurant, at which multiple toasts were given, and where there was a lot banter [sic], jokes, and cross-talking.” This is generally consistent with the yearly holiday dinner hosted by O’Brien, which McFarren was invited to, and likely attended, in 2015. Email, O’Brien to Courtney et al, December 13, 2015; Email, McFarren to O’Brien et al, December 16, 2015 (O’Brien production). McFarren did not recall the date of this toast. Written Responses, McFarren, January 18, 2019.

<sup>4260</sup> (U) Attorney Proffer, William McFarren, January 30, 2018.

<sup>4261</sup> (U) Shugart Tr., pp. 176-177.

<sup>4262</sup> (U) Schiller Tr., p. 96.

<sup>4263</sup> (U) E. Agalarov Tr., p. 63.

<sup>4264</sup> (U) For more on this topic, *see infra* Vol. 5, Sec. III.C.

<sup>4265</sup>

[REDACTED]

[REDACTED] January 13, 2017, the then-manager of the Ritz Carlton Moscow emailed executives at Verny Capital (the hotel’s owner) and at Ritz Carlton Europe, [REDACTED] regarding Trump’s stay at the hotel in 2013. The manager reported that three hotel staff who remembered that Trump stayed there did not recall any “unusual happenings,” that there was no damage to the room, and that “we strongly doubt” that there were cameras in the room. Email, Kuhlen to Ospanov, et al., January 13, 2017 (RC-Moscow 002).

[REDACTED]

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which allegedly showed Trump in an elevator involved with several women who the discussant implied to be “hostesses.” The executive who had seen the video had asked the other, more senior, executive what to do with the recording. The former executive said the two discussants then left to continue the conversation in a more private location, and he did not hear anything further.<sup>4266</sup>

(U) Neither executive who allegedly had the conversation recalled it, nor did they recall seeing the recording.<sup>4267</sup> The Committee was not able to resolve these discrepancies.<sup>4268</sup>

(U) Finally, Michael Cohen has testified that he became aware of allegations about a tape of compromising information in late 2013 or early 2014, shortly after the Miss Universe 2013 pageant and significantly prior to the 2016 U.S. election cycle.<sup>4269</sup> The alleged tape related to Trump and prostitutes.<sup>4270</sup> Cohen has testified that he discussed the allegations with Trump, who asked Cohen to find out where the allegations were coming from. Trump told Cohen that the allegations were not true. Cohen has said that in 2014 or 2015 he asked a friend, Giorgi Rtskhiladze,<sup>4271</sup> to see if Rtskhiladze could find out if the tape was real.<sup>4272</sup>

(U) Cohen estimated that, over the course of several years, six different people contacted him regarding the alleged tape. Cohen stated that one individual threatened to release the alleged information if the individual was not paid a large sum of money. Cohen indicated that he would have been willing to pay the individual to suppress the information if it could be verified, but

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<sup>4266</sup> [REDACTED] Both of these individuals continue to work for Marriott, and have been based largely or exclusively outside the United States. The executive who allegedly saw the recording [REDACTED] was perceived by a former Ritz Carlton Moscow employee to have been corrupt and “too close to the Russians.”<sup>4268</sup>

<sup>4269</sup> (U) Cohen Tr. II, p. 126; HPSCI Transcript of the Interview with Michael Cohen, Part 2, March 6, 2019, p. 227-228.

<sup>4270</sup> (U) FBI, FD-302, Cohen 9/12/2018.

<sup>4271</sup> (U) Giorgi Rtskhiladze, a U.S. businessman originally from the country of Georgia is a former business partner and friend of Michael Cohen. Rtskhiladze has privately claimed to have some access to Roman Abramovich. Emails, Rtskhiladze to Cohen, December 31, 2016 (RTSKHILADZE-0000098-99, 108). Rtskhiladze has stated that Zurab Tsereteli is his godfather, and that Tsereteli is close friends with Putin. Emails, Rtskhiladze to Cohen, December 31, 2016 and January 18, 2017 (RTSKHILADZE-0000114). In January 2017, Cohen acquired a ticket for Rtskhiladze to attend the inaugural ball, which Rtskhiladze then attended. Emails, Rtskhiladze and Cohen, January 20–21, 2017 (RTSKHILADZE-0000163, 177). Rtskhiladze was involved in business with the Agalarovs in the mid-2000s. E. Agalarov Tr., p. 66.

<sup>4272</sup> [REDACTED] FBI, FD-302, Cohen 9/12/2018; [REDACTED]

[REDACTED]

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Cohen was never shown any evidence. Cohen has also said that individuals in the media contacted him regarding a tape of Trump.<sup>4273</sup>

(U) According to Rtskhiladze:

*During an October 2015 phone call that Mr. Rtskhiladze had with his friend and former business associate, Sergei Khokhlov,<sup>[4274]</sup> Mr. Khokhlov stated that while having dinner at a restaurant, Mr. Khokhlov overheard a stranger at a table next to him discuss tapes from Donald Trump's visit to Russia. The overheard dinner conversation was not important to Mr. Rtskhiladze and Mr. Khokhlov so they did not discuss this matter again. Mr. Khokhlov was aware that Mr. Rtskhiladze and his Georgian partners were in business with the Trump Organization. Due to the news about the Access Hollywood tapes and its potential impact on Mr. Trump's reputation, Mr. Rtskhiladze sent a text message to Mr. Cohen to inform him that an individual was overheard discussing sensitive tapes of Mr. Trump's trip to Russia.<sup>4275</sup>*

(U) A detail of Rtskhiladze's characterization of this event shifted over time. Rtskhiladze's original written response to the Committee, through counsel, stated that Khokhlov "overheard someone at a party bragging about alleged tapes of Mr. Trump." An earlier letter from Rtskhiladze's counsel to the Attorney General also characterized the event as a "party." In a second written submission to the Committee, Rtskhiladze through counsel included a clarification: "The comment about the tapes was not overheard by Mr. Khokhlov at 'a party' per se, but specifically was overheard at a restaurant from an individual at a nearby table."<sup>4276</sup>

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<sup>4273</sup> (U) According to Cohen, those individuals included David Pecker, Dylan Howard and Harvey Levin. FBI, FD-302, Cohen 9/12/2018.

<sup>4274</sup> (U) According to Rtskhiladze, through counsel, Khokhlov is a Moscow-based businessman. Khokhlov and Rtskhiladze met in 2004 in Moscow through a mutual friend and business associate. Khokhlov and Rtskhiladze have since remained friends, "speaking on the phone or text messaging every six (6) to eight (8) months." Rtskhiladze last saw Khokhlov in 2009. Letter, Rtskhiladze to SSCI, May 11, 2020. Rtskhiladze said their interactions since then have been related to "catching up about family, friends etc." Khokhlov was aware of Rtskhiladze's relationship with Michael Cohen, and of Trump development efforts in Russia and the country of Georgia. Written Responses, Rtskhiladze, September 16, 2016. Rtskhiladze indicated that Khokhlov is connected to "Roman." From context this appears to be Roman Abramovich. Emails, Rtskhiladze to Cohen, January 2, 2017 (RTSKHILADZE-0000126). Rtskhiladze has also said that Khokhlov attends many interesting and entertaining parties. FBI, FD-302, Rtskhiladze 5/10/2018.

<sup>4275</sup> (U) Written Responses, Rtskhiladze, September 16, 2016.

<sup>4276</sup> (U) Written Responses, Rtskhiladze, August 23, 2019; Letter, Bolden to Barr, April 23, 2019 (Rtskhiladze Production); Written Responses, Rtskhiladze, September 16, 2019.

[REDACTED]

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(U) Rtskhiladze’s subsequent exchange with Cohen via text message, believed to take place on October 30, 2016, reads:<sup>4277</sup>

From	To	Body	Timestamp: Date	Timestamp: Time
Giorgi Rtskhiladze	Michael Cohen	Stopped flow of some tapes from Russia but not sure if there's anything else. Just so u know...	10/30/2016	7:30:22 PM(UTC+0)
Michael Cohen	Giorgi Rtskhiladze	Tapes of what?	10/30/2016	7:48:51 PM(UTC+0)
Giorgi Rtskhiladze	Michael Cohen	Not sure of the content but person in Moscow was bragging had tapes from Russia trip.	10/30/2016	7:52:12 PM(UTC+0)
Giorgi Rtskhiladze	Michael Cohen	Will try to dial you tomorrow but wanted to be aware	10/30/2016	7:52:41 PM(UTC+0)
Giorgi Rtskhiladze	Michael Cohen	I'm sure it's not a big deal but there are lots of stupid people	10/30/2016	7:53:25 PM(UTC+0)
Michael Cohen	Giorgi Rtskhiladze	You have no idea	10/30/2016	7:53:46 PM(UTC+0)
Giorgi Rtskhiladze	Michael Cohen	I do trust me.	10/30/2016	7:54:27 PM(UTC+0)
Giorgi Rtskhiladze	Michael Cohen	He needs to make it to the WH Mike!	10/30/2016	7:57:40 PM(UTC+0)

(U) This exchange was followed by a telephone conversation, possibly the following day, regarding the alleged tape.<sup>4278</sup> Cohen said that he spoke to Trump regarding the text messages in October 2016, as well as to Donald Trump Jr. and to Schiller.<sup>4279</sup> Rtskhiladze has said that Khokhlov subsequently called and stated that the tapes were fake, but Rtskhiladze said this information was not conveyed to Cohen.<sup>4280</sup>

[REDACTED]

[REDACTED] did not identify evidence of a later call from Khokhlov to Rtskhiladze. [REDACTED] did locate an email dated January 11, 2017, [the day after unverified allegations were published] from Rtskhiladze to publicist M.A. Bonvicino reading, “told MC there was something there b 4 election.” When the publicist responded, “I recall,” Rtskhiladze replied, “well that’s what happens when you visit crocus I guess.”<sup>4281</sup>

(U) Though Rtskhiladze did not have personal insight into the matter, he assessed that if compromising material existed, Crocus Group would likely be responsible.<sup>4282</sup>

<sup>4277</sup> (U) Text Messages, Cohen and Rtskhiladze, October 30, 2016–November 9, 2016 (SCO\_MC0000028).

<sup>4278</sup> (U) HPSCI Transcript of the Interview with Michael Cohen, Part 2, March 6, 2019, pp. 226–227.

<sup>4279</sup> [REDACTED] SCO Report, Vol. II, pp. 27–28

<sup>4280</sup>

<sup>4281</sup> (U) *Ibid.*

<sup>4282</sup> *Ibid.*; FBI, FD-302, Rtskhiladze 5/10/2018. Aras Agalarov’s associate, Yuri Chaika, the longtime former Prosecutor General of Russia, has a history of utilizing compromising information. Andrew Kramer, “The Master of ‘Kompromat’ Believed to Be Behind Trump Jr.’s Meeting,” *The New York Times*, July 17, 2017. Most notably, in

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[REDACTED] The Committee is aware of a realistic and well-resourced, but fake, video of someone who looks like Trump portraying him in a situation consistent with the uncorroborated allegations that were made public in January of 2017. The video may have first appeared on the public internet in January of 2019. [REDACTED]

**i. (U) The Counterintelligence Threat at the Ritz Carlton Moscow**

[REDACTED] As discussed elsewhere in this Report, during the 2013 trip to Moscow for the Miss Universe pageant the Agalarovs arranged for Donald Trump to stay at the Ritz Carlton hotel.<sup>4285</sup> [REDACTED]

(U) According to two former employees of the Ritz Carlton in Moscow, in 2013 there was at least one [REDACTED] officer permanently stationed at the hotel. This non-uniformed [REDACTED] officer was believed to be a [REDACTED] and had access to the hotel's property management system, guest portfolios and notations, as well as the network of "hundreds" of security cameras at the hotel.<sup>4288</sup> The [REDACTED] was believed to be able to monitor the camera feeds from his

the late 1990s, Chaika was reportedly involved in the use of a video recording to oust a Russian government official who was investigating corruption in the Russian leadership. The recording, which was made public, showed the official in a compromising situation with two women. Chaika himself replaced the ousted official, who claimed that the tape was falsified. Putin, who was the head of the FSB at the time, "authenticated" the tape involving the women. Chaika also has ties to the [REDACTED] crime syndicate [REDACTED] Chaika, whose son is sanctioned by the United States, is an associate of Natalia Veselnitskaya. Treasury, "Issuance of Global Magnitsky Executive Order; Global Magnitsky Designations," December 21, 2017.

<sup>4283</sup> [REDACTED]

<sup>4285</sup> (U) For more on the Ritz Carlton hotel in Moscow, see *infra* Vol. 5, Sec. III.C.

[REDACTED]

[REDACTED]

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office. It was believed that the officer reported both to his [REDACTED] leadership, and directly to the owner of the hotel, Bulat Utemuratov of Verny Captial.<sup>4289</sup>

(U) The former employees did not know whether there were cameras permanently in certain rooms, but both believed it was possible, and there was awareness of recording devices being prearranged in rooms in anticipation of the arrival of particular guests.<sup>4290</sup> One of the former employees also believed that one of the drivers affiliated with the Ritz Carlton in Moscow was from the [REDACTED] and had easy access to a secure government area.<sup>4291</sup>

(U) Both former employees also recalled a significant presence of paid sex workers at the hotel.<sup>4292</sup> One reported that a third-party security firm that was employed by the hotel was responsible for managing the women, in addition to its other duties.<sup>4293</sup>

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<sup>4289</sup> [REDACTED] Utemuratov is a close associate of President Nazarbayev of Kazakhstan, and through that relationship was perceived to also be close to the Kremlin. One former employee of the hotel said that Utemuratov was dangerous, and that the [REDACTED] at the hotel was scared of him. [REDACTED]

<sup>4290</sup>

<sup>4291</sup>

<sup>4292</sup>

[REDACTED] A former employee recalled there often being more than fifty such women per night at the hotel, and that there would be “casting sessions” in the evenings where some women would be selected by individuals on behalf of other individuals. [REDACTED]

<sup>4293</sup>

[REDACTED] Speaking more generally about the hotel, one former employee explained that “there is almost nothing you cannot do there.” [REDACTED]

**J. (U) Influence for Hire**

**1. (U) Introduction and Findings**

(U) Over the course of this investigation, the Committee identified an international marketplace for digital services to shape popular sentiment and electoral outcomes. These services—many of which are based overseas—use an array of personal information to build targeted messaging profiles. During elections, campaigns can use these profiles to direct select political advertisements and narrative content toward specific audiences calculated to be most susceptible to the messaging. This practice of “micro-targeting” is in turn designed to influence the thoughts and judgments of voters. The use of messaging to sway voter sentiment is not a new development. However, it is now enabled by advanced data analytics and algorithmic targeting, the globally expansive reach of social media, and user-generated data and personal information that is often unwittingly provided or illicitly obtained.

(U) The Committee sought to learn more about the extent to which foreign-based influence companies played a role in shaping the outcome of the 2016 U.S. presidential election, either directly or through work with American counterparts. Several companies engaged in this activity, including Cambridge Analytica, Psy Group, and Colt Ventures, exhibited some type of foreign ties. The Committee examined these specific companies and their activities related to the 2016 U.S. election to better understand how foreign influence, including the use of techniques and methodologies honed by foreign governments and intelligence services, may have been exerted in 2016. The Committee did not examine the effectiveness of the work these companies may have conducted.

(U) All three companies either aspired to apply micro-targeted social media messaging techniques comparable to those employed by Russian information operatives with the Internet Research Agency, or actively engaged in the application of these techniques. One of these entities, Cambridge Analytica, had a degree of intersection with and proximity to Russia, and specifically Russia’s intelligence services. Others had different types of foreign contacts. All of these entities were engaged with the Trump Campaign to some extent, but the Committee found no convincing evidence that Russia’s government or intelligence services worked with or through any of these companies in furtherance of Moscow’s 2016 U.S. election interference.

(U) There are, however, limitations to the Committee’s understanding of this subject. In particular, the Committee did not have access to numerous essential witnesses, including Alexander Nix, a non-U.S. citizen who generally disregarded the Committee’s requests for an appearance, and Lieutenant General Michael Flynn, who exercised his Fifth Amendment right against self-incrimination. Additional individuals with potentially critical understanding of how these companies marketed or applied tools to influence electoral outcomes, either declined to appear before the Committee or were not sought as witnesses. Further, testimony specific to

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certain events and relationships is either inconsistent across witnesses, or appears to purposely minimize the witnesses' knowledge or recollection. Finally, the Committee was unable to obtain the corporate communications of Cambridge Analytica or SCL Group, which had already been seized by U.K. authorities.

**2. (U) SCL and Cambridge Analytica**

(U) Now defunct, Cambridge Analytica was a U.K.-based data analytics firm and political consultancy founded in 2013 as an offshoot of an existing U.K. data analytics firm and consultancy, Strategic Communication Laboratories (SCL). During the 2016 U.S. presidential campaign, Cambridge Analytica attempted to solicit business from a number of Republican Party candidates for president in 2016. Following the end of Ted Cruz's candidacy and Cambridge Analytica's work for his campaign, Cambridge Analytica shifted its focus to the Trump Campaign.

**i. (U) Cambridge Analytica's Founding**

(U) According to Christopher Wylie, who worked at SCL from June 2013 through November 2014<sup>4294</sup>, SCL evolved from a single company with multiple divisions—Defense, Commercial, Elections, and Social—to a holding company with the divisions ultimately being spun off into subsidiary companies. Nigel Oakes served as the chief executive officer for the holding company, SCL Group, which also entailed overseeing the operations of SCL-Defense, the corporate component responsible for 80 percent of SCL Group's revenue.<sup>4295</sup>

(U) Alexander Nix, a former financial analyst who joined SCL in 2003, served as Cambridge Analytica's CEO.<sup>4296</sup> Nix's responsibilities with SCL Group were described by Wylie as the "odds and ends" that comprised SCL Group's non-defense work: SCL-Commercial, SCL-Elections, and SCL-Social.<sup>4297</sup> Nix began exploring the possibility of opening a data analytics division at SCL in 2010 after becoming intrigued by the applications for data analysis that Google Analytics was creating. Nix identified the Republican Party's lack of a data analytics program comparable to that of the Democrat Party as a business opportunity, and began meeting with conservative donors in the United States.<sup>4298</sup>

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<sup>4294</sup> (U) In 2017, Wylie made a series of public allegations against Cambridge Analytica. *See, e.g.*, Christopher Wylie, Written Statement to the Senate Judiciary Committee, May 16, 2018; Carole Cadwalladr, "I made Steve Bannon's psychological warfare tool: meet the data war whistleblower," *The Guardian*, March 18, 2018.

<sup>4295</sup> (U) Proffer, Wylie, May 17, 2018.

<sup>4296</sup> (U) Bannon Tr., p. 225.

<sup>4297</sup> (U) *Ibid.*; SSCI Transcript of the Interview with Brittany Kaiser, August 17, 2018, pp. 24–25.

<sup>4298</sup> (U) SSCI Transcript of the Interview with Brittany Kaiser, August 17, 2018, pp. 21–22.

[REDACTED]

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(U) Cambridge Analytica's primary investor, the Mercer family, later introduced Cambridge Analytica to the Trump Campaign. According to Wylie, a client of SCL-Defense had met with several associates of Steve Bannon, and Bannon's associates then helped connect Bannon to SCL Group. Bannon subsequently introduced Nix to Robert and Rebekah Mercer as potential investors in SCL Group.<sup>4299</sup>

(U) Bannon recalled that he met Nix between mid-2013 and 2014, in the context of doing investment due diligence for Robert Mercer. According to Bannon, Mercer believed that SCL Group's data analysis capabilities and relationship with Cambridge University presented an investment opportunity and set about creating a U.S. entity that would be capitalized and in part operated by SCL Group data scientists, including Nix, on a contractual basis. Bannon recalled that Nix was the chief executive officer for the U.S. entity.<sup>4300</sup>

(U) According to Wylie, a series of meetings between the Mercers, Bannon, and Nix preceded the eventual financial backing by the Mercers. Although Robert Mercer wanted to invest directly in SCL Group, his legal counsel advised that his investment should entail a U.S. entity.<sup>4301</sup> This advice precipitated the creation of Cambridge Analytica. Cambridge Analytica was established with an initial \$15 million investment by Mercer, who owned a corresponding 90 percent ownership share of the company. The remaining 10 percent ownership share belonged to SCL-Elections, in exchange for "assignment and deposit general" of SCL-Elections intellectual property.<sup>4302</sup>

(U) According to Wylie, Robert Mercer served as president of Cambridge Analytica, while Bannon was the vice-president, Jennifer Mercer was the treasurer, and Nix was named to the company's board.<sup>4303</sup> Wylie indicated that Cambridge Analytica's foundational arrangement was designed to enable Cambridge Analytica's use of SCL Group intellectual property without making Cambridge Analytica part of SCL Group. Moreover, this arrangement included an exclusive provision contract whereby all of Cambridge Analytica's clientele would be serviced by SCL-Elections. Cambridge Analytica did not have any employees of its own, pursuant to this arrangement. Cambridge Analytica's work was performed by employees of SCL-Elections,

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<sup>4299</sup> (U) Proffer, Wylie, May 17, 2018.

<sup>4300</sup> (U) Bannon Tr., p. 239.

<sup>4301</sup> (U) Proffer, Wylie, May 17, 2018.

<sup>4302</sup> (U) *Ibid.*

<sup>4303</sup> (U) *Ibid.* As of May 17, 2018, Rebekah and Jennifer Mercer signed a written consent as the board members of Cambridge Analytica, LLC. See Voluntary Petition for Non-Individuals Filing for Bankruptcy, *In re: Cambridge Analytica LLC*, Case No. 18-11500-shl (Bankr. S.D.N.Y. May 17, 2018); A related May 31, 2018 Statement of Financial Affairs for Cambridge Analytica LLC lists Alexander Nix as part of the Board of Managers and CEO, Rebekah Mercer as part of the Board of Managers and Vice President, and Jennifer Mercer as part of the Board of Managers, with all three holding their respective positions from March 6, 2014 through January 23, 2018. See Statement of Financial Affairs for Cambridge Analytica, Case No. 18-11500-shl (Bankr. S.D.N.Y. May 31, 2018).

[REDACTED]

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contractors, or through a company retained by Cambridge Analytica that hired subcontractors.<sup>4304</sup>

(U) The precise character of Cambridge Analytica’s workforce vis-à-vis SCL Group was the subject of conflicting statements by witnesses to the Committee, and a matter not ultimately resolved in the course of the Committee’s investigation.<sup>4305</sup> According to Steve Bannon, Cambridge Analytica was “totally independent” of SCL Group. Bannon told the Committee that Cambridge Analytica had its own workforce separate and apart from SCL Group’s employees, and characterized the assertion that Cambridge Analytica employees essentially worked for SCL Group as “inaccurate.” Bannon added that the appearance of Cambridge Analytica and SCL Group having the same workforce was a byproduct of Nix and some of the Cambridge Analytica data scientists episodically doing work for both companies.<sup>4306</sup> However, according to Brittany Kaiser, who opened the first U.S.-based Cambridge Analytica office in Alexandria, Virginia, in October 2015, at least initially, Cambridge Analytica and SCL Group “were one and the same company.”<sup>4307</sup> Kaiser explained that as Cambridge Analytica grew, “some people were only Cambridge Analytica or only what we called ‘the rest of the world’ . . . staff. But when I joined there were maybe twelve or fifteen full-time staff members and everybody worked on everything.”<sup>4308</sup> At its largest, the company comprised 130 employees. At the height of its operations in the United States, there were approximately forty people working for Cambridge Analytica in New York City, and about another twenty in Washington, D.C.<sup>4309</sup>

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<sup>4304</sup> (U) Proffer, Wylie, May 17, 2018.

<sup>4305</sup> (U) The Committee is aware of at least two U.S. entities established under SCL Group—Cambridge Analytica LLC and SCL USA, Inc.—based on a review of court documents filed in 2018. See Voluntary Petition for Non-Individuals Filing for Bankruptcy, *In re: Cambridge Analytica LLC*, Case No. 18-11500-shl (Bankr. S.D.N.Y. May 17, 2018). These two entities were part of a complex arrangement between Cambridge Analytica, SCL Group and its related entities, and other entities operating in the United States, the United Kingdom, and elsewhere. The Committee does not purport to have fully uncovered the extent of the corporate structure. Furthermore, the Committee’s witnesses attributed activities to a single entity (e.g., “Cambridge Analytica”) that may have in fact been undertaken by several entities within the complex arrangement or may have been ambiguous, such as Cambridge Analytica, LLC in the United States or Cambridge Analytica, Ltd. in the United Kingdom. The Committee has attempted to substantiate and/or appropriately attribute the facts within the limitations of evidence it gathered.

<sup>4306</sup> (U) Bannon Tr., pp. 221–231.

<sup>4307</sup> (U) Kaiser Tr., pp. 11–12.

<sup>4308</sup> (U) *Ibid.* Kaiser indicated that she was introduced to Nix in approximately 2013, and began working for Nix and Cambridge Analytica in late 2014. Kaiser assumed a permanent position with Cambridge Analytica in February 2015, which she held until January 31, 2018. Kaiser further stated that she worked on both political and commercial projects during her time with Cambridge Analytica. See *ibid.*, pp. 5–12

<sup>4309</sup> (U) *Ibid.*, pp. 82–86. Kaiser did not differentiate between Cambridge Analytica and SCL Group, and she further estimated that approximately sixty people worked in the London office, which she referred to as “Headquarters.” She also clarified that the New York office was primarily concentrated on commercial issues, whereas the Washington, D.C. office primarily concentrated on political issues.

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(U) Bannon described his own role with Cambridge Analytica as that of a “typical investment banker,” conducting due diligence on behalf of principal investor Robert Mercer and taking a board position from which capitalization decisions could be overseen.<sup>4310</sup> Bannon later introduced the Trump Campaign to Cambridge Analytica as a potential client.<sup>4311</sup>

**ii. (U) International Operations of Cambridge Analytica and SCL**

(U) Both SCL and Cambridge Analytica personnel were engaged in election-related work around the globe. Kaiser indicated that at the time of her employment by Cambridge Analytica, SCL Group was running “between eight to ten national elections every year for prime minister and president, all around the world.” According to Kaiser, she offered Cambridge Analytica’s services to prospective clients in approximately 30 different countries, and worked on “seven to eight national projects” during her tenure across “Africa, Asia, and Latin America.”<sup>4312</sup>

(U) Cambridge Analytica and SCL engaged in a variety of efforts to influence the outcomes of elections abroad.<sup>4313</sup> According to Wylie, he was hired by SCL Group to be director of research, based in part on his previous experience working on political campaigns and in developing micro-targeting strategies.<sup>4314</sup> Wylie alleged that Cambridge Analytica engaged in the “procuring [of] hacked material for the benefit of its clients,” the use of “specialized technologies and intel gathering services from former members of Israeli and Russian state security services,” and the management of information operations on behalf of pro-Russian parties in Eastern Europe and the Baltics.<sup>4315</sup> Kaiser stated that Cambridge Analytica had an office based in Skopje, Macedonia, from which political projects targeted at Macedonia as well as other regional projects were run.<sup>4316</sup> Kaiser described some of Cambridge Analytica’s work in Eastern Europe prior to her joining the company, including a program that sought to test the effectiveness of Russian propaganda, ostensibly in order to develop counter-propaganda strategies.<sup>4317</sup>

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<sup>4310</sup> (U) Bannon Tr., pp. 223–231.

<sup>4311</sup> (U) *Ibid.*, pp. 268–270.

<sup>4312</sup> (U) Kaiser Tr., pp. 9–10. After November 2016, commercial clientele became the chief focus of Cambridge Analytica’s business. According to Kaiser “[c]ommercial clients from all around the world were calling to figure out how they could use us for their advertising, and that became the core income of the company.” *Ibid.*, pp. 24–25.

<sup>4313</sup> (U) An investigations committee of the U.K. House of Commons revealed the considerable scope and opaque nature of this work. See U.K. House of Commons, Digital, Culture, Media and Sport Committee, “Disinformation and ‘fake news’: Final Report,” February 14, 2019.

<sup>4314</sup> (U) Proffer, Wylie, May 17, 2018.

<sup>4315</sup> (U) *Ibid.*

<sup>4316</sup> (U) Kaiser Tr., p. 127.

<sup>4317</sup> (U) *Ibid.*, pp. 124–125.

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(U) According to Wylie, in spring 2014, Steve Bannon approved proceeding with Cambridge Analytica-sponsored focus groups concerning Vladimir Putin and Russian expansionism, preparatory to the development of a predictive response model. Wylie also indicated that Mr. Bannon and Konstantin Kilimnik, a Ukrainian political operative with established ties to a Russian intelligence service and a protracted working relationship with Paul Manafort, were two of three individuals likely responsible for this idea.<sup>4318</sup> Wylie added that of the two hundred predictive response models Cambridge Analytica was developing in the United States, Vladimir Putin was the only world leader addressed, and Russian expansionism was the only foreign topic contemplated.<sup>4319</sup>

(U) Sam Patten, a U.S.-based foreign political consultant, worked for Cambridge Analytica and SCL in at least Nigeria,<sup>4320</sup> Mexico,<sup>4321</sup> Kosovo,<sup>4322</sup> and the Czech Republic.<sup>4323</sup> Patten had met Nix through Anna Miller, a mutual friend, in 2014, and was subsequently hired by Nix to do work on projects in the United States, before working abroad as a contract employee for the company.<sup>4324</sup> Bannon indicated he had no personal knowledge of Patten's work as an employee or contractor of Cambridge Analytica or SCL and that he further had never worked on any projects with Patten.<sup>4325</sup>

**iii. (U) Aleksander Kogan**

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<sup>4318</sup> (U) Kenneth P. Vogel and Andrew E. Kramer, "Russian Spy or Hustling Political Operative? The Enigmatic Figure at the Heart of Mueller's Inquiry," *The New York Times*, February 23, 2019.

<sup>4319</sup> (U) Proffer, Wylie, May 17, 2018.

<sup>4320</sup> (U) Kaiser Tr., pp. 67-68, Patten Tr., p. 30. Kaiser told the Committee that while Patten ran the Nigeria-based campaign, Cambridge Analytica may have assisted the client retain former Israeli Mossad agents, working in a private capacity, to conduct opposition research against the client's political opponent. Kaiser Tr., pp. 67-68.

<sup>4321</sup> (U) FBI, FD-302, Patten 5/22/2018; Kaiser Tr., p. 203. Patten told the FBI that after an initial visit to his home by what Patten believed to be FBI agents, he deleted emails, some of which pertained to work he had performed for Cambridge Analytica in Mexico because he had been told that his work there was "off the books." FBI, FD-302, Patten 5/22/2018.

<sup>4322</sup> (U) Patten Tr., pp. 30, 34. Patten told the Committee the nature of the work in Kosovo was to support the Liberal Party in the parliamentary elections that occurred in the spring of 2017.

<sup>4323</sup> [REDACTED] *Ibid.*, pp. 29-38. Some of Patten's other foreign work had significant ties with other individuals connected to the Committee's investigation, primarily through Konstantin Kilimnik. Patten told the Committee that, to his knowledge, "there's no connection" between Kilimnik and Cambridge Analytica. *Ibid.*, p. 38. [REDACTED]

<sup>4324</sup> (U) Patten Tr., pp. 29-32.

<sup>4325</sup> (U) Bannon Tr., pp. 253-256.

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(U) Aleksander Kogan is a social psychologist who began working at Cambridge University in 2012 as a research associate and university lecturer.<sup>4326</sup> In early 2013, Kogan began collaborating with Facebook on studies designed to elicit information on human connection and the expression of emotion. According to Kogan, to further these studies, Facebook provided him with several macro-level datasets concerning friendship connections and emoticon usage. In the context of this collaboration with Facebook, Kogan created a Facebook app named the “CPW Lab App,” which was designed to collect individual Facebook users’ data in order to analyze it in conjunction with the datasets previously provided by Facebook.<sup>4327</sup>

(U) According to Kogan, he was introduced to Christopher Wylie through a mutual connection in 2014. Wylie, acting on behalf of SCL Group, asked Kogan to provide “survey-consulting services,” to include collection of Facebook data and the generation of personality profiles. Kogan agreed to undertake the work and to do so, registered a company, Global Science Research, and repurposed the CPW Lab App under a new billing—the “GSR App.” The GSR App was intended to collect self-provided user data from survey responses, and additional information from the Facebook “friends” of survey participants, whose privacy settings allowed the App to access their information. The GSR App was eventually revised and released as an interactive personality quiz named “This is Your Digital Life.” According to Kogan, the GSR App ultimately collected approximately 30 million individual personality profiles, which were transferred to SCL Group. Kogan has indicated that he is unaware of any evidence that would support the contention that the Trump Campaign used this data to micro-target voters.<sup>4328</sup>

(U) Wylie described Kogan’s work as consisting of research projects undertaken in Russia. According to Wylie, the Russian government sponsored some of Kogan’s research, and Kogan traveled to Russia in this context to deliver presentations on the work he was doing at Cambridge Analytica, unbeknownst to his colleagues.<sup>4329</sup> A March 15, 2014, email from SCL Group employee Marcus Beltran to Nix, Wylie, and Kieran Ward referenced “the interesting work Alex Kogan has been doing for the Russians,” in relation to its compatibility with “predictive crime-based CRM [customer relationship management]” and “criminal psychographic profiling” analytics being applied elsewhere.<sup>4330</sup>

(U) According to Bannon, he first met Kogan in 2013 or 2014 in the context of a presentation on SCL Group’s technical capabilities. Bannon indicated that he had no awareness

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<sup>4326</sup> (U) Testimony of Dr. Aleksandr Kogan before the United States Senate, Committee on Commerce, Science, and Transportation Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security, June 19, 2018.

<sup>4327</sup> (U) *Ibid*.

<sup>4328</sup> (U) *Ibid*. Kogan’s written testimony states that data collected from the “This Is Your Digital Life” application was not transferred to SCL.

<sup>4329</sup> (U) Proffer, Wylie, May 17, 2018.

<sup>4330</sup> (U) Email, Beltran to Nix, Ward, and Wylie, March 15, 2014 (WYL001009).

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of work Kogan had ever performed for the Russian government. According to Bannon, while Kogan was an employee of SCL Group, Kogan performed services under contract on Cambridge Analytica's behalf.<sup>4331</sup> Communications provided to the Committee indicate that at least between June and November 2014, Kogan was performing services under contract directly for SCL Group, and on at least some occasions for SCL-Elections, specifically.<sup>4332</sup>

(U) In addition to Kogan's acquisition of Facebook user data through the GSR App, Kaiser stated that Cambridge Analytica obtained data from at least two other applications on the Facebook platform: specifically, the "Music Walrus" and "The Sex Compass" applications.<sup>4333</sup>

**iv. (U) Cambridge Analytica and Lukoil**

(U) According to Wylie, from spring 2014 through 2015 Cambridge Analytica representatives were meeting with representatives of Lukoil, a Russian multinational corporation headquartered in Moscow and the second largest company in Russia.<sup>4334</sup> The publicly stated reason for the meetings was the potential design of a Lukoil customer loyalty card to be used in Turkey. Wylie indicated to the Committee that Nix's presentations, however, entailed discussion of rumor and disinformation campaigns and undermining confidence in institutions.<sup>4335</sup> Kaiser, however, told the Committee that Cambridge Analytica engaged Lukoil for a prospective contract that would entail using the oil company's data to create "customer experience programs" for an application that would be used in conjunction with Lukoil's gas stations in Turkey. In the context of these discussions, Kaiser was told the data could also be useful for political activities in Turkey, since Cambridge Analytica sought both political and commercial work simultaneously in most countries.<sup>4336</sup> Limited email records suggest that the project would initially entail modeling Lukoil's "loyalty data" to identify new customers and "create bespoke psychographic messaging for existing customers."<sup>4337</sup> Kaiser furnished a February 2015 presentation focusing on customer retention that SCL-Commercial prepared for Lukoil.<sup>4338</sup> Both Wylie and Kaiser did not believe a contract ever resulted from these discussions.<sup>4339</sup>

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<sup>4331</sup> (U) Bannon Tr., pp. 245–248.

<sup>4332</sup> (U) Email, Nix to Rust and Cheffins, June 25, 2014 (WYL000282–WYL000285).

<sup>4333</sup> (U) Kaiser Tr., p. 99.

<sup>4334</sup> (U) Proffer, Wylie, May 17, 2018. In 2014, the Obama Administration implemented economic sanctions against Russia in response to the occupation of Crimea. Lukoil was added as a named entity to the Sectoral Sanctions Identifications List maintained by the Department of the Treasury's Office of Foreign Asset Control on September 12, 2014.

<sup>4335</sup> (U) Proffer, Wylie, May 17, 2018.

<sup>4336</sup> (U) Kaiser Tr., pp. 66–67, 121–123.

<sup>4337</sup> (U) Email, Nix to Wylie, July 17, 2014 (WYL 001065–WYL 001066).

<sup>4338</sup> (U) SCL Commercial Presentation for Lukoil, February 18, 2015 (KAISER\_LK01–KAISER\_LK26).

<sup>4339</sup> (U) Kaiser Tr., pp. 66–67; Proffer, Wylie, May 17, 2018.

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(U) In May 2018 testimony to the Senate Judiciary Committee, Christopher Wylie stated that “Lukoil has formal information sharing agreements with the Russian Federal Security Service (‘FSB’) and is known to conduct intelligence gathering on behalf of the FSB.”<sup>4340</sup> Although the scope and nature of the work Cambridge Analytica attempted to pursue with Lukoil is unclear, the Committee did not independently corroborate allegations that Lukoil intended to use Cambridge Analytica to impact elections. However, the Committee is concerned about the role Lukoil may play in effecting Russia’s efforts to interfere in foreign elections generally.<sup>4341</sup>

[REDACTED]

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The Moldovan election was ultimately won by pro-Russian candidate Igor Dodon, whose campaign platform centered largely on pursuing closer ties with Russia in preference over relations with the European Union.<sup>4345</sup>

**v. (U) Cambridge Analytica’s U.S. Operations**

(U) According to Wylie, Cambridge Analytica aspired to use data-driven models for social change by identifying the subsets of a given population susceptible to particular messaging. Rather than focusing on the core population segment at the center of an issue, Cambridge Analytica’s work was predicated on changing the minds of the 5 percent of the population on the fringes of that issue, on the rationale that 5 percent can be determinative of

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<sup>4340</sup> (U) Wylie, Written Statement to the Senate Judiciary Committee, May 16, 2018.

<sup>4341</sup> (U) Carole Cadwalladr and Emma Graham-Harrison, “Cambridge Analytica: links to Moscow oil firm and St Petersburg university,” *The Guardian*, March 17, 2018.

[REDACTED]

<sup>4345</sup> (U) Alexander Tanas and Alessandra Prentice, “Pro-Russian candidate triumphs in Moldova presidential race,” *Reuters*, November 13, 2016.

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most voting outcomes.<sup>4346</sup> Wylie outlined for the Committee the active, hands-on role Bannon and Robert Mercer played in co-founding the company in order to compete for political clients in the United States. Wylie suggested that Bannon engaged SCL Group and became Vice President of Cambridge Analytica in order to “build an arsenal of informational weapons [that] he could deploy on the American population.”<sup>4347</sup>

(U) According to Kaiser, almost every client meeting she had during her time at Cambridge Analytica that involved a political figure was preceded by an introduction by Bannon, Rebekah Mercer, or Kellyanne Conway—an advisor to the Mercers at the time. According to Kaiser, Conway was very involved in negotiating Cambridge Analytica’s transition from working for the Cruz Campaign to supporting the Trump Campaign, prior to Ted Cruz dropping out of the race.<sup>4348</sup>

(U) Kaiser described the data sets purchased and licensed by Cambridge Analytica as “comprehensive” and comprising anybody in the United States over the age of 18 with a financial history: “[T]he database was built as a base off of the Experian credit file, and then on top of that was layered national data sets from Infogroup, Magellan, Acxiom, Label & Lists. So it would cover basically anybody that was of age and had any sort of commercial activity.”<sup>4349</sup> According to Kaiser, Cambridge Analytica attempted to purchase the Facebook group “For America,” which was predicated on dissemination and sharing of politically conservative content, that Kaiser characterized as “the largest political group on Facebook.” Explaining the commercial appeal of this Facebook group, Kaiser said it reached as many as 30 million people per day at the height of its activity.<sup>4350</sup>

(U) Kaiser told the Committee that Nix cited lax personal data protections as a reason to pursue business opportunities in the United States. As Kaiser described the vulnerability of personal data in the United States to unwitting collection, “[i]n the United States, we’re by default opted in just by being in this country. So data can be collected and held and monetized and modeled without the opt-in of individuals, which allows you to do almost anything that you want, legally . . . he was wanting to build a data science company that was able to undertake large-scale data collection and modeling before the laws changed.”<sup>4351</sup>

**vi. (U) Cambridge Analytica and the Trump Campaign**

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<sup>4346</sup> (U) Proffer, Wylie, May 17, 2018.

<sup>4347</sup> (U) *Ibid.*

<sup>4348</sup> (U) Kaiser Tr., pp. 40–43.

<sup>4349</sup> (U) *Ibid.*, pp. 101–102.

<sup>4350</sup> (U) *Ibid.*, p. 118.

<sup>4351</sup> (U) *Ibid.*, pp. 51–52.

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(U) Throughout the Committee’s investigation, testifying witnesses associated with the Trump Campaign consistently minimized the role that Cambridge Analytica played in the execution of the campaign. Nevertheless, the testimony of witnesses not attached to the Trump Campaign and materials produced to the Committee suggest that Cambridge Analytica’s data scientists and messaging specialists were intimately tied to the Trump Campaign effort.

(U) According to Kaiser, discussion about engaging the Trump Campaign with a commercial offer began at Cambridge Analytica in May 2015, with the suggestion that Nix meet with Corey Lewandowski. Kaiser indicated that Bannon had been advocating for a meeting between Cambridge Analytica and members of what would become the Trump Campaign, prior to the announcement of Trump’s candidacy. An actual meeting related to Cambridge Analytica’s possible work for the Trump Campaign did not occur until September 2015, when Nix and Kaiser met with Bannon in Washington, D.C. According to Kaiser, then-candidate Trump called Bannon during the meeting, and instructed Bannon to have Nix and Kaiser come to New York City to meet with Lewandowski.<sup>4352</sup> A meeting took place the following day, and while “eight or ten weeks” of contract negotiations followed, Cambridge Analytica’s offer to run a fundraising campaign for the Trump Campaign never materialized.<sup>4353</sup> Bannon indicated that he had no recollection of the September 2015 phone call with Donald Trump that Kaiser described.<sup>4354</sup>

(U) Cambridge Analytica proposed offers of work to almost every one of the 2016 Republican presidential primary campaigns, including the campaigns of Rick Perry, Carly Fiorina, Chris Christie, Ben Carson, Jeb Bush, and Scott Walker.<sup>4355</sup> During their respective 2016 presidential campaigns, Carson spent over \$430,000 for Cambridge Analytica’s services, while Cruz spent approximately \$5.8 million.<sup>4356</sup> Within a week of Ted Cruz dropping out of the race for the Republican nomination, all Cambridge Analytica employees working on the Cruz Campaign began transitioning over to work on the Trump Campaign.<sup>4357</sup>

(U) Kaiser stated to the Committee that Cambridge Analytica was ultimately successful in contracting work with the Trump Campaign in part because some competitor data firms were

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<sup>4352</sup> (U) *Ibid.*, pp. 144-145. Kaiser told the Committee that the meeting with Lewandowski needed to occur early in the morning, as Lewandowski would be accompanying Trump to his appearance at a rally in Washington, D.C. against the nuclear deal with Iran. *See ibid.*, p. 145. Trump participated in a rally against the Iran nuclear deal on September 9, 2015. *See* Katie Zezima, “Donald Trump, Ted Cruz headline Capitol rally against Iran nuclear deal,” *The Washington Post*, September 9, 2015.

<sup>4353</sup> (U) Kaiser Tr., pp. 145–146.

<sup>4354</sup> (U) Bannon Tr., p. 268.

<sup>4355</sup> (U) Kaiser Tr., pp. 152–153.

<sup>4356</sup> (U) Maegan Vazquez and Paul Murphy, “Trump isn’t the only Republican who gave Cambridge Analytica big bucks,” *CNN*, March 21, 2018.

<sup>4357</sup> (U) Kaiser Tr., pp. 154–156.

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unwilling to work with the Trump Campaign.<sup>4358</sup> According to Rick Gates, a close business associate of Paul Manafort and eventual deputy chairman for the Trump Campaign, the Campaign made a determination shortly after the Republican National Convention to use Cambridge Analytica's services, although views on using Cambridge Analytica varied.<sup>4359</sup> The Republican National Committee (RNC) did not want to use the company and Brad Parscale, a digital media strategist who had been working with the Trump Organization since 2011 and served as digital director for the Trump Campaign was reluctant to bring a new company into the Campaign's operations.<sup>4360</sup> However, according to Gates, Kushner wanted to use Cambridge Analytica and ultimately negotiated a package of services, with payment slated to be delivered at the end of the campaign.<sup>4361</sup> Kushner told the Committee that the Mercers aggressively advocated for the Trump Campaign's use of Cambridge Analytica, and in order to secure the Mercers' support for then-candidate Trump, the Campaign engaged with Cambridge Analytica.<sup>4362</sup>

(U) Cambridge Analytica began work under contract with the Trump Campaign shortly after Trump became the Republican Party's nominee.<sup>4363</sup> Kaiser's initial work for the Trump Campaign entailed helping to build Project Alamo, as the Trump Campaign's digital operation in San Antonio, Texas, came to be known, including the database and the qualitative and quantitative research programs that underwrote the project. This involved working with Conway to continuously develop, administer, and refine nationwide polling models.<sup>4364</sup>

(U) Parscale indicated that he made the decision to hire Cambridge Analytica to work for the Trump Campaign in June 2016, after receiving approval from Paul Manafort and Jared Kushner. Parscale characterized Cambridge Analytica's work for the Trump Campaign as "[m]ainly helping us raise donations, fundraising." Parscale also described Cambridge Analytica's work supporting the Trump Campaign's media and advertising purchases.<sup>4365</sup> According to Parscale, Cambridge Analytica's team in San Antonio began with a presence of three employees, and eventually expanded to at least 12 by the end of the campaign.<sup>4366</sup>

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<sup>4358</sup> (U) *Ibid.*, pp. 156–159.

<sup>4359</sup> (U) FBI, FD-302, Gates 10/29/2018.

<sup>4360</sup> (U) FBI, FD-302, Gates 10/29/2018; "Brad Parscale: Trump names 2020 election campaign chief," *BBC*, February 27, 2018.

<sup>4361</sup> (U) FBI, FD-302, Gates 10/29/2018.

<sup>4362</sup> (U) Kushner Tr. II, pp. 84–85.

<sup>4363</sup> (U) *Ibid.*; Kaiser Tr., p. 159. Filings indicate payments were made later. See Federal Election Commission, Disbursements, Donald J. Trump for President, Inc. to Cambridge Analytica, LLC, 2015–2016 (indicating first disbursement of July 29, 2016). According to FEC filings, payments continued through December 12, 2016, totaling \$5,912,500 for "Data Management" and "Data Management Services."

<sup>4364</sup> (U) Kaiser Tr., pp. 161–164.

<sup>4365</sup> (U) Parscale Tr., pp. 55–62.

<sup>4366</sup> (U) *Ibid.*, p. 60.

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(U) Concerning Nix, Parscale indicated that he hired Cambridge Analytica to support the Trump Campaign “because I met Matt Oczkowski, who was the head of products for them,” despite the fact that Parscale “didn’t like Alexander Nix. I didn’t like anything about him. I told him to his face.”<sup>4367</sup> Kushner told the Committee that although he had met Nix “a few times,” he had very little interaction with the Cambridge Analytica employees working in support of the Trump Campaign.<sup>4368</sup>

(U) Parscale told the Committee that Cambridge Analytica performed work in support of the Trump Campaign’s data efforts.<sup>4369</sup> Parscale also told the Committee that he declined Cambridge Analytica’s offer to use the company’s “psychographic profiling” services.<sup>4370</sup> However, the Committee obtained documents in the course of its investigation that suggest Cambridge Analytica’s data may have been used in support of the Trump Campaign, and the Campaign may have leveraged Cambridge Analytica’s “psychographic analysis” capabilities. A presentation slide titled “Data Flow and Supported Programs” (see first image below) depicts bidirectional data flow from the Trump Campaign to Cambridge Analytica, with an intermediate step involving data held by the Republican National Committee.<sup>4371</sup> Additionally, the Cambridge Analytica node of the data flow depiction is titled “Digital Media Psychographic Analysis,” and is connected directly to the Trump Campaign node by a directional arrow titled “Reporting,” at least suggesting that the Trump Campaign was receiving the results of Cambridge Analytica’s analysis.<sup>4372</sup> A separate slide titled “Data Process Flow,” (see second image below) shows a bidirectional arrow from Cambridge Analytica’s “Psychographic Analysis” to both the Republican National Committee’s “GOP Data Center” and the Trump Campaign’s “ALAMO.”<sup>4373</sup>

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<sup>4367</sup> (U) *Ibid.*, p. 53.

<sup>4368</sup> (U) Kushner Tr., pp. 12–13.

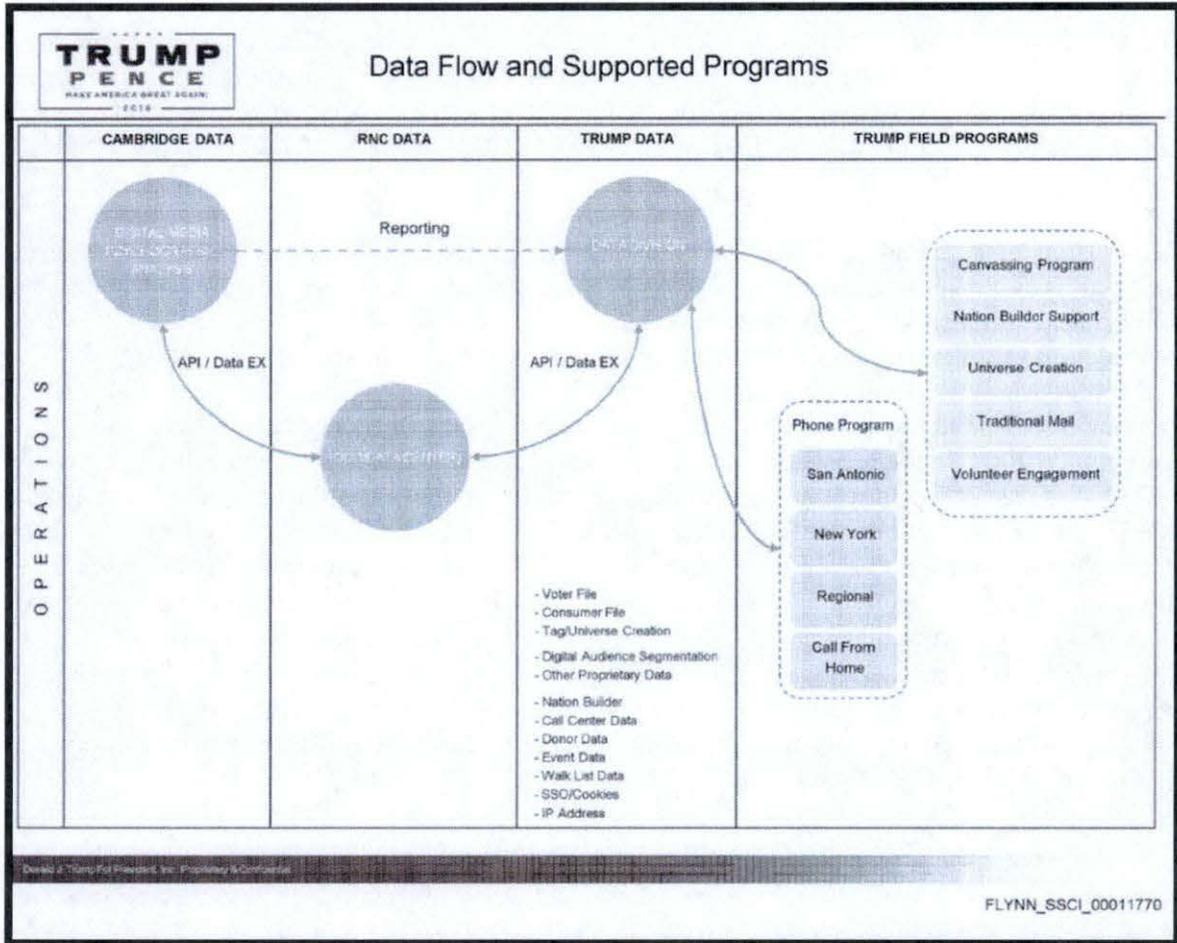
<sup>4369</sup> (U) Parscale Tr., pp. 57–58.

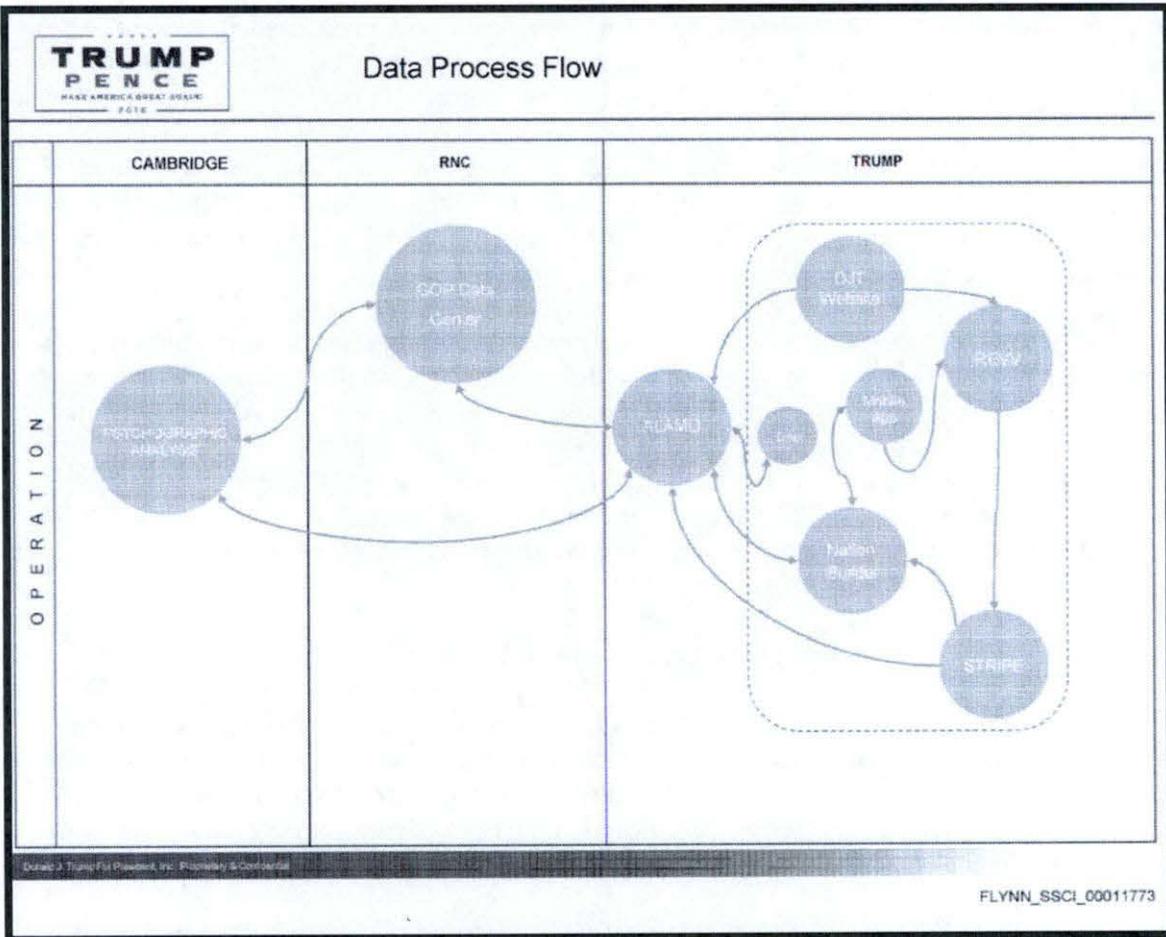
<sup>4370</sup> (U) *Ibid.*, pp. 60–61.

<sup>4371</sup> (U) Trump Data Team Presentation, August 22, 2016 (FLYNN\_SSCI\_00011770).

<sup>4372</sup> (U) *Ibid.*

<sup>4373</sup> (U) *Ibid.* (FLYNN\_SSCI\_00011773).





(U) Gates also told the FBI that Cambridge Analytica employees had made representations to him that that the company was based in the U.S., with operations that entailed multiple U.S. components. Gates later learned and was concerned that Trump Campaign data was transmitted to and analyzed in the United Kingdom, component to Cambridge Analytica’s services.<sup>4374</sup>

(U) In testimony to the Committee, however, Parscale stated he chose not to use Cambridge Analytica’s data during the campaign, opting rather to use Republican National Committee data in the alternative because it was “more accurate” and performed better in field

<sup>4374</sup> (U) FBI, FD-302, Gates 10/29/2018. Gates recalled this becoming an issue “because of the time difference between the UK [United Kingdom] and the East Coast.” See *ibid*.

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testing.<sup>4375</sup> Parscale described Cambridge Analytica's media and advertisement support to the Trump Campaign as consisting of a separate team based in San Antonio, Texas. This team worked in connection with the Data Trust database, according to Parscale.<sup>4376</sup> The work of this team consisted chiefly of creating visualization tools that communicated data trends relative to the electorate, which enabled more effective deployment of then-candidate Trump to election events.<sup>4377</sup> According to Parscale, Cambridge Analytica's work for the Trump Campaign entailed access to the Campaign's data stores and those of the Republican National Committee, but never involved Cambridge Analytica bringing in new data.<sup>4378</sup>

(U) According to Kaiser, the representations of Cambridge Analytica employees working on Project Alamo to her indicated that data owned by Cambridge Analytica played no part in the work done for the Trump Campaign; to her knowledge, "Project Alamo was built completely from scratch." Kaiser acknowledged this was atypical, in that "every other project" Cambridge Analytica worked on was built off a copy of the company's main database. Kaiser indicated that the data for Project Alamo came from the Republican National Committee's Data Trust database and other data sets that were purchased and licensed to be added to the Data Trust data.<sup>4379</sup>

**vii. (U) Cambridge Analytica and WikiLeaks**

(U) According to open source information, during the 2016 campaign, Nix emailed Julian Assange, the ostensible head of WikiLeaks, about the possible release of Hillary Clinton's 33,000 deleted emails.<sup>4380</sup> In particular, the reports indicated that Nix sought a searchable database of emails related to Clinton.<sup>4381</sup> In October 2017, Assange publicly confirmed "an approach by Cambridge Analytica" and claimed to have rejected it.<sup>4382</sup>

(U) The Committee obtained no additional information related to this alleged outreach. Numerous individuals affiliated with the Trump Campaign, including those likely to have been

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<sup>4375</sup> (U) Parscale Tr., pp. 59–60.

<sup>4376</sup> (U) *Ibid.*, p. 57.

<sup>4377</sup> (U) *Ibid.*, pp. 57–58.

<sup>4378</sup> (U) *Ibid.*, p. 58.

<sup>4379</sup> (U) Kaiser Tr., pp. 163–164.

<sup>4380</sup> (U) Betsy Swan, "Trump Data Guru Alexander Nix: I Tried To Team Up With Julian Assange," *The Daily Beast*, October 25, 2017.

<sup>4381</sup> (U) Kara Scannell, Dana Bash, and Marshall Cohen, "Trump campaign analytics company contacted WikiLeaks about Clinton emails," *CNN*, October 25, 2017.

<sup>4382</sup> (U) Betsy Swan, "Trump Data Guru Alexander Nix: I Tried To Team Up With Julian Assange," *The Daily Beast*, October 25, 2017. Following initial publication, the article added: "[A]fter publication, Assange provided this statement to *The Daily Beast*: 'We can confirm an approach by Cambridge Analytica and can confirm that it was rejected by WikiLeaks.'"

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closest to the outreach such as Bannon, indicated that they had no prior awareness of Nix's communication with WikiLeaks.<sup>4383</sup>

**viii. (U) Declaration of Bankruptcy**

(U) On May 17, 2018, “Cambridge Analytica LLC a/k/a Cambridge Analytica Commercial LLC a/k/a Cambridge Analytica Political LLC a/k/a Anaxi Solutions Inc. . . . and SCL USA, Inc.” filed voluntary petitions for bankruptcy relief in the United States Bankruptcy Court for the Southern District of New York.<sup>4384</sup>

(U) Emerdata was created as a new holding company for the purposes of owning the assets of Cambridge Analytica and SCL Group.<sup>4385</sup> Media reporting indicates that upon Emerdata's August 2017 incorporation, SCL Group's chairman, Julian Wheatland, and SCL's chief data officer, Alexander Tayler, were listed as the company's original owners.<sup>4386</sup> On March 7, 2018, Firecrest Technologies Limited, a subsidiary of Emerdata, was incorporated. Alexander Nix was briefly identified as the director of Firecrest Technologies Limited, before being replaced by Alexander Tayler.<sup>4387</sup> On March 16, 2018, Jennifer and Rebekah Mercer joined Emerdata as directors. Nix also served as a director for Emerdata from January 23, 2018 to March 28, 2018. Emerdata characterizes its business as “[d]ata processing, hosting, and related activities,” but little is known about the actual activities of the company.<sup>4388</sup>

**3. (U) Psy Group**

(U) Psy Group, which was in bankruptcy proceedings in Israel as of December 2018, was an intelligence company specializing in social media manipulation and on-line reputation and perception management.<sup>4389</sup> Psy Group representatives engaged with Trump Campaign senior officials in 2016 for a contract to perform work on behalf of the Campaign.<sup>4390</sup> These

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<sup>4383</sup> (U) Bannon Tr., pp. 284–285; Parscale Tr., p. 66. The Committee is aware of other efforts to obtain Clinton emails, *see infra* Vol. 5, Sec. III.B and Vol. 5, Sec. III.L.1.

<sup>4384</sup> (U) Letter, Lamonica to Burr and Warner, February 15, 2019.

<sup>4385</sup> (U) Kaiser Tr., pp. 44–45.

<sup>4386</sup> (U) Wendy Siegelman, “Cambridge Analytica is dead – but its obscure network is alive and well,” *The Guardian*, May 5, 2018.

<sup>4387</sup> (U) U.K. Government Companies House Listing, “Firecrest Technologies Limited,” Company Number 11238956

<sup>4388</sup> (U) U.K. Government Companies House Listing, “Emerdata Limited,” Company Number 10911848; Wendy Siegelman, “Cambridge Analytica is dead – but its obscure network is alive and well,” *The Guardian*, May 5, 2018.

<sup>4389</sup> (U) Psy Group presentation, “Reality is a Matter of Perception” (PSY000352–PSY000369).

<sup>4390</sup> (U) Toi Staff, “Multiple Trump campaign staffers ‘reached out’ to Israel firm under FBI scrutiny,” *The Times of Israel*, December 1, 2018.

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engagements, which included multiple proposals and presentations, purportedly never materialized into any Campaign work.

**i. (U) Psy Group’s Founding and Structure**

(U) Psy Group was founded in Israel on December 22, 2014, as a private intelligence firm specializing in collection and analysis of information, as well as online reputation management and targeted influence.<sup>4391</sup> Joel Zamel, an Australian living in Israel, told the Committee that he founded Psy Group with Daniel Green and Elad Schaffer.<sup>4392</sup> Zamel indicated that Psy Group comprised two entities: a parent company named IOCO Ltd. in Cypress and a subsidiary company based in Israel named Invop Ltd.<sup>4393</sup> According to Zamel, he was a majority shareholder in Psy Group, while Green and Schaffer were minority shareholders.<sup>4394</sup> Zamel said IOCO was responsible for business development, contracting, and marketing, while the Israel-based Invop, where the majority of Psy Group employees were located, performed in an operational capacity.<sup>4395</sup>

(U) Royi Burstien, an Israeli citizen, was the chief executive officer at Psy Group. Burstien had left the Israeli military in 2014 and established I2A (“Intelligence Influence Analysis”), a private online influence and intelligence company that operated from approximately March to October 2014. Burstien was introduced to Zamel in 2014 by a mutual acquaintance, Itai Yonat. Zamel established Invop later that year, and hired Burstien as chief executive officer.<sup>4396</sup>

(U) Zamel described Burstien’s background as including work in the intelligence field conducting influence operations. The precise nature of Burstien’s work in the intelligence field

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<sup>4391</sup> (U) Simona Weinglass, et al., “Israeli firm under FBI scrutiny in Trump probe allegedly targeted BDS activists,” *The Times of Israel*, June 6, 2018; Psy Group presentation, “Shaping Reality through Intelligence and Influence” (PSY000125–PSY000129).

<sup>4392</sup> (U) Zamel Tr., pp. 7–8. Zamel is also associated with Wikistrat, a crowd-sourced consulting platform that Zamel co-founded in 2009, see Crunchbase.com, profile of Wikistrat.

<sup>4393</sup> (U) Zamel Tr., pp. 8–10. The Committee does not purport to have fully uncovered the extent of the corporate structure. Furthermore, the Committee’s witnesses attributed activities to a single entity (e.g., “Psy Group”) that may have in fact been undertaken by several entities within the corporate arrangement or may have been ambiguous. The Committee has attempted to substantiate and/or appropriately attribute the facts within the limitations of evidence gathered.

<sup>4394</sup> (U) *Ibid.*, pp. 11–12.

<sup>4395</sup> (U) *Ibid.* pp. 15–16. Although communication and records were produced to the Committee by Psy Group, Zamel “wiped” his personal devices after they were returned to him by the SCO following a search, and therefore did not himself produce records to the Committee. *Ibid.*, pp. 98–101. Burstien estimated Zamel’s ownership stake in IOCO Ltd. at 90 percent. Attorney Proffer, Burstien, April 12, 2019.

<sup>4396</sup> (U) Attorney Proffer, Burstien, April 12, 2019.

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is not known to the Committee.<sup>4397</sup> Burstien primarily communicated with Zamel using the encrypted application Wickr, communications on which automatically disappear after a period of time, and therefore were not produced to the Committee.<sup>4398</sup>

(U) Zamel described Invop’s suite of client services as including intelligence gathering and influence campaigns that use avatars, websites, blogs, and other internet vehicles to target specific online audiences.<sup>4399</sup>

**ii. (U) Psy Group Operations**

(U) The Committee reviewed several documents that described the suite of services offered by Psy Group. One corporate overview, entitled “Shaping Reality through Intelligence and Influence, sent from Psy Group to American international political consultant George Birnbaum in May 2016, highlighted Psy Group’s capabilities in “influence” and “intelligence.”<sup>4400</sup>

- (U) Psy Group’s “Influence+” suite of services involved advertising, media, and public relations “to reach any target audience, including decision makers, influencers and the general public, to help deliver key messages, sway opinion and help highlight or tone down issues of relevance.”<sup>4401</sup>
- (U) Under a section titled “Influence Campaigns,” Psy Group’s capability to conduct influence activities was described as “unique, actionable intelligence that is leveraged through influence activities. By utilizing our covert capabilities in the campaign, we are able to reach each target audience credibly and effectively, including through the utilization of objective, trusted parties or proxies.”<sup>4402</sup>
- (U) Psy Group’s “[i]ntelligence [o]ffering” included a “multi-level approach to intelligence collection” that combined open source research, cyber operations including social engineering and “honeypots . . . to extract required information from the right sources,” and “covert techniques and capabilities in the physical world.”<sup>4403</sup>

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<sup>4397</sup> (U) Zamel Tr., pp. 13–14.

<sup>4398</sup> (U) Attorney Proffer, Burstien, April 12, 2019.

<sup>4399</sup> (U) Zamel Tr., p. 33.

<sup>4400</sup> (U) Email, Epstein to Birnbaum, May 24, 2016 (PSY000124–PSY000129) (attaching Psy Group presentation, “Shaping Reality through Intelligence and Influence”).

<sup>4401</sup> (U) *Ibid.*

<sup>4402</sup> (U) *Ibid.*

<sup>4403</sup> (U) *Ibid.*

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(U) When asked about Psy Group’s services, Zamel testified that “[t]he company had very clear boundaries . . . we don’t do hacking, we don’t break the law.”<sup>4404</sup>

(U) Another set of Psy Group promotional materials advertised the company’s “Influence Campaign” capability and a suite of attendant services that included “[o]nline reputation management, [o]ffline campaigns, [o]nline campaigns, ‘[h]oney traps,’ and [d]edicated activities.”<sup>4405</sup>

- (U) In relation to employing “individualized avatars, fake accounts, influence operations,” and “amplification” of messaging through automated social media accounts, Zamel asserted to the Committee that Psy Group had the ability to conduct these activities, but “didn’t do anything like that in the U.S. or in the [2016] elections.”<sup>4406</sup>
- (U) In relation to “honey traps,” Zamel explained that this entailed “building a platform, a website, or online forum to encourage discussion about certain topics. To obtain information about a target saying certain things, or having a certain agenda. To capture some information. Maybe conducting an avatar operation on that platform that’s controlled by the company.”<sup>4407</sup>

(U) Describing Psy Group’s capabilities and personnel, Birnbaum explained:

*These guys came out of the military intelligence army unit, and it’s like coming out with a triple Ph.D. from M.I.T. The amount of knowledge these guys have in terms of cybersecurity, cyber-intelligence . . . they come out of a unit in which their minds in terms of understanding cybersecurity—the algorithms that they can create—it’s just so beyond what you could get [with] a normal education that it’s just unique . . . there are hundreds and hundreds of Israeli start-up companies that the founders are guys who came out of this unit.*<sup>4408</sup>

(U) Birnbaum distinguished Psy Group from Black Cube, a separate private intelligence firm founded in 2010 by former Israeli intelligence officers: Psy Group “was a technology service that you just apply an algorithm to and it works. It wasn’t setting up fake companies and fake employees and sending someone with a wire into a room and videotaping them. That’s

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<sup>4404</sup> (U) Zamel Tr., pp. 92–93.

<sup>4405</sup> (U) Email, Mortman to Long, Kohler, Burstien, and Elwood, March 31, 2017 (PSY000351–PSY000369).

<sup>4406</sup> (U) Zamel Tr., p. 83.

<sup>4407</sup> (U) *Ibid.*, p. 94. Traditionally, a “honey trap” refers to the use of sexual entrapment to compromise a potential source of information in intelligence operations.

<sup>4408</sup> (U) SSCI Transcript of the Interview of George Birnbaum, February 20, 2019, p. 63.

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more what Black Cube does. . . .”<sup>4409</sup> Zamel indicated that Psy Group never did any direct work on behalf of Black Cube, nor did Psy Group ever work as a sub-contractor to Black Cube.<sup>4410</sup>

[REDACTED] Zamel indicated that Burstien and members of his team were involved in cultivating client opportunities, often through PR firms.<sup>4411</sup> [REDACTED] Apart from Psy Group’s pitches to the Trump Campaign, described below, the Committee identified three projects of note, including two involving Russian oligarchs:

- (U) **Erik Prince:** One project, alternately named “Black Jack” and “Jack Black,” was intended to improve the online reputation of American businessman and co-founder of the Blackwater private security services firm, Erik Prince, presumably in response to a request from Prince. Zamel indicated that a contract for work never materialized. Zamel said that he was introduced to Erik Prince in 2016 by former CIA official Cofer Black. According to Zamel, several follow-on meetings with Prince occurred, at which Zamel and Prince discussed human rights work related to the Middle East.<sup>4413</sup>
- [REDACTED] **Oleg Deripaska:** According to Burstien, Psy Group undertook an “intelligence project” (codenamed “Project Starbucks”) in probably 2015 for Oleg Deripaska involving a business dispute with a large Austrian company, possibly connected to real estate. It was unclear what specifically prompted the project, but Deripaska was “mad about it” and wanted to find derogatory information on the Austrian company to expose their unscrupulous (and purportedly “fraudulent”) business practices. Deripaska hired Israeli national Walter Soriano, who subsequently put Deripaska or his unidentified representatives in touch with Psy Group. Psy Group did not find any derogatory information on the Austrian company. Burstien may have met with Deripaska once in Switzerland relating to this project. Although he was the CEO, Burstien did not

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<sup>4409</sup> (U) *Ibid.*, p. 126.

<sup>4410</sup> (U) Zamel Tr., pp. 24–26.

<sup>4411</sup> (U) *Ibid.*, p. 102. Another U.S.-based employee, Phil Elwood, performed business development work for Psy Group in Washington, D.C. Zamel claimed that he was not involved in the day-to-day business side of Psy Group and only heard about major projects that would be briefed to and the strategic advisory board by Burstien. *Ibid.*, pp. 18–19, 37–41. As a result, he also claimed not to be aware of the Deripaska and Rybolovlev projects at the time they occurred. *Ibid.*, pp. 31, 37.

<sup>4412</sup> [REDACTED]

<sup>4413</sup> (U) Zamel Tr., pp. 50–59. The Committee’s efforts to interview Prince were unsuccessful, as he exercised his Fifth Amendment right against self-incrimination in electing to not appear before the Committee. Prince did submit to the Committee a personal statement as well as documents on November 22, 2017. See Letter, Prince to SSCI, November 22, 2017. Prince’s statement contains conspicuous omissions and partially contradicted claims. For more information on Prince and further details inconsistencies and omissions in Prince’s statements, see *infra* Vol. 5, Sec. III.K.iii.

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know the value of the contract.<sup>4414</sup> [REDACTED]

- [REDACTED] **Dmitri Rybolovlev:** Psy Group undertook a separate “intelligence project” in 2016 for Dmitry Rybolovlev relating to a dispute with the art dealer Yves Bouvier. Walter Soriano linked Rybolovlev with Psy Group to find derogatory information on Bouvier, possibly by suggesting that Bouvier was using his art dealing to skim money from customers. The contract value was approximately \$150,000, and entailed Invop’s conducting open source research on Bouvier. Burstien did not recall meeting Rybolovlev, though another Psy Group employee probably did, and stated that Soriano would have been present for that meeting.<sup>4416</sup> [REDACTED]

**iii. (U) Psy Group’s Engagement with the Trump Campaign: Project Rome/D-Day**

(U) In the spring of 2016, Psy Group pitched an influence and intelligence project to the Trump Campaign through Rick Gates and Birnbaum. Referred to as both “Project Rome and “Project D-Day,” the proposal was developed over several months, but ultimately never came to fruition, as described below.

(U) On March 23, 2016, Kory Bardash, the head of Republicans in Israel, emailed George Birnbaum and Eitan Charnoff, a project manager at Psy Group, to virtually introduce them to each other. Bardash wrote: “I have spoken to both of you about the other. Hopefully you can have a mutually beneficial chat.”<sup>4418</sup>

(U) Separately, on March 29, 2016, Birnbaum met with Rick Gates at the Mandarin Oriental hotel in Washington, D.C., having been introduced to Gates by mutual friend Eckart

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<sup>4414</sup> (U) Attorney Proffer, Burstien, April 12, 2019. [REDACTED]

<sup>4415</sup> [REDACTED]

<sup>4416</sup> (U) Attorney Proffer, Burstien, April 12, 2019.

<sup>4417</sup> [REDACTED]

<sup>4418</sup> (U) Email, Bardash to Birnbaum and Charnoff, March 23, 2016 (PSY000005–PSY000006).

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Sager. During this meeting, Gates referenced “the challenge of the delegates” and “opposition research on Hillary Clinton” and asked Birnbaum whether there was “any Israel[i] technology that could help us with some of these goals?”<sup>4419</sup> Specifically, Gates asked about using technology to identify Republican delegates as either “pro-Trump, anti-Trump, or ‘on the fence,’” and further, whether the last category of delegates might be influenced through social media. Gates also asked about using publicly available information to conduct opposition research against Hilary Clinton and “up to ten of her closest circle.”<sup>4420</sup> Birnbaum indicated that this was his first and only in-person meeting with Gates.<sup>4421</sup>

(U) The next day, March 30, 2016, Birnbaum contacted Charnoff to discuss Psy Group conducting work for the Trump Campaign.<sup>4422</sup> Charnoff then sent an email to Psy Group employees Arnon Epstein, Royi Burstien, and others, outlining a business opportunity for Psy Group with the Trump Campaign. Charnoff explained that he (Charnoff) and Epstein had been in contact with “a major American campaign consultant who [had] been tasked by the [T]rump campaign.” Charnoff indicated “[t]hey want us to [use] social platform analytical tools as well as our Rublik department capabilities to identify who is truly with [T]rump and who isn’t and then run an influence campaign to impact their decision using avatars and creating third party assets and outreach.” Charnoff closed his email noting that “[b]y the end of today they want a rough estimate of what it will cost,” and that within the ensuing three days, a timeline and more exact cost estimate were required.<sup>4423</sup>

(U) In a follow-on email to the same recipients, Charnoff indicated that following Birnbaum’s consultation with “the campaign,” the prospective work for the Trump Campaign would be divided into two projects. The first project consisted of opposition research on “the female opposing candidate,” and comprised “dig[ing] up dirt as well as active [information] gathering on associates.” The second project was focused on U.S. state delegates voting in the Republican primary and entailed using social media analysis to index delegates as “pro [T]rump, against and unknown.” Charnoff further stated that the latter two categories of delegates would be targeted in an influence campaign “to support [T]rump and not change the convention rules.”<sup>4424</sup>

(U) In an email under the subject line “Project D-Day” sent April 1, 2016, Arnon Epstein indicated Psy Group had been authorized to “move to the planning phase of the activity,”

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<sup>4419</sup> (U) The reasoning behind Gates’s stated preference for “Israeli technology” is not known to the Committee. This meeting occurred at the very start of Paul Manafort’s and Rick Gates’s work on the Trump Campaign.

<sup>4420</sup> (U) Birnbaum Tr., pp. 25-27.

<sup>4421</sup> (U) *Ibid.*, p. 27.

<sup>4422</sup> (U) *Ibid.*, pp. 42-44.

<sup>4423</sup> (U) Email, Charnoff to Epstein, Burstien, Vesely, Fogel, and “Yossef,” March 31, 2016 (PSY000008–PSY000009).

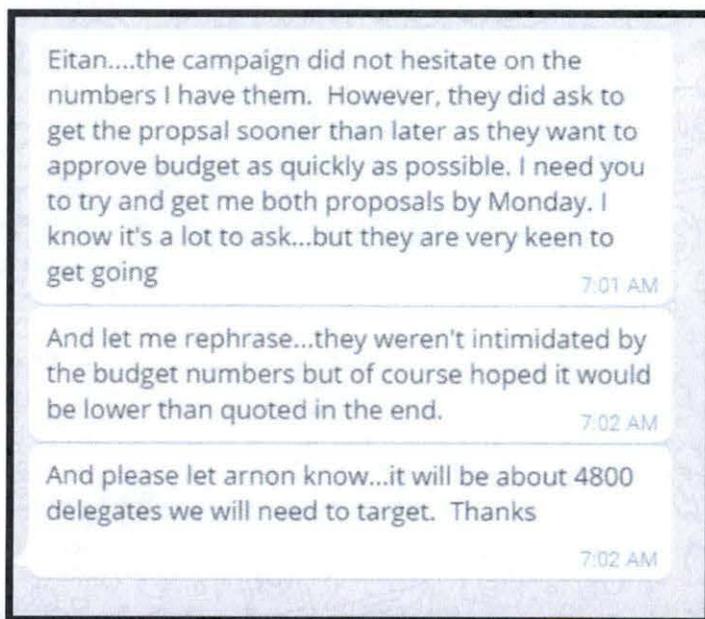
<sup>4424</sup> (U) Email, Charnoff to Epstein, Burstien, Vesely, Fogel, and “Yossef,” March 31, 2016 (PSY000012).

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subsequent to “several conversations last night with George [Birnbaum] (the contact to D’s team).” Epstein included a screenshot of his purported conversation with Birnbaum (see image below).<sup>4425</sup> With respect to opposition research, Epstein noted that:

*As for the intel on the Lady and her team, he’s talking about up to 10 people in her inner-inner circle. We told him an estimate of 10 people and her would be around \$250K for passive work + very light active. We explained we suggest not to go heavy active at the moment because of the issues we discussed. We spun it a bit and said we are not concerned for us, but wish to prevent any blowback or flags raising pointing to him at this point.<sup>4426</sup>*



(U) A Psy Group project breakdown for “Project D-Day” indicated that Psy Group’s efforts comprised four teams (“Team Black,” “Team Rubik,” “Team Blue,” and “Team Red”), and contemplated the involvement of as many as 53 employees.<sup>4427</sup>

(U) In an email sent April 1, 2016, George Birnbaum offered guidelines to Epstein and Charnoff for drafting the proposal. Among Birnbaum’s suggestions were “run intensive

<sup>4425</sup> (U) Email, Epstein to Charnoff, Burstien, Vesely, Fogel, “Yossef,” and Tzach, April 1, 2016 (PSY000013–PSY000014).

<sup>4426</sup> (U) *Ibid.*

<sup>4427</sup> (U) Psy Group “Project Budget Calculator for Project Name D-Day” (PSY000294).

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influence campaigns on the unknown delegates themselves and on the influencers of the delegates,” and “[f]or the Clinton Proposal . . . run an intensive, deep open source opposition research campaign on Hillary and her 10 closest associates (names to be supplied by [the] campaign). Depending on information found, apply a second layer of info gathering to make sure no stone was left unturned. Anything else you might want to add as well.”<sup>4428</sup>

(U) On April 5, Epstein emailed the proposal, now called Project Rome, to Birnbaum.<sup>4429</sup> The proposal included a project to conduct “influence services” targeting the Republican convention delegates, a second project proposal to conduct “opposition intelligence research” on Clinton, and a “sample report.”<sup>4430</sup> The cost estimate for the “influence services” proposal was \$3.21 million, with an additional \$100,000 for media expenses,<sup>4431</sup> with a cost estimate for “negative opposition” of \$400,000.<sup>4432</sup>

(U) The sample report provided a background profile of a California delegate for the Republican Party.<sup>4433</sup> The profile included biographical data including places of residence and employment, marital status, political and religious leanings, and personal interests. While it was noted that the delegate was already “a strong supporter of Donald Trump, and therefore no active influence is required at this point,” the profile recommended “infrequent monitoring (monthly) to check whether any changes in opinions or sentiments towards Trump.” The portfolio began with an overview description of the sourcing for the analysis, described the report as being based on “available OSINT (Open Source Intelligence),” and noted that “[i]n the event that additional information is required, Psy Group can carry out various active intelligence activities to extract additional information based on the needs and directions.”<sup>4434</sup>

(U) According to Birnbaum, he informed Rick Gates that he had received the project materials from Psy Group. In response, Gates instructed him to send Psy Group proposals to an

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<sup>4428</sup> (U) Email, Birnbaum to Epstein to Charnoff, April 1, 2016 (PSY000015).

<sup>4429</sup> (U) Email, Epstein to Birnbaum, April 5, 2016 (PSY000067–PSY000080) (attaching proposals for both efforts as well as a sample intelligence report on a particular delegate).

<sup>4430</sup> (U) *Ibid.*

<sup>4431</sup> (U) Psy Group, “Project ‘Rome’ Campaign Intelligence & Influence Services Proposal,” April 2016 (PSY000073); Attorney Proffer, Burstien, April 12, 2019.

<sup>4432</sup> (U) Psy Group, “Project Rome Opposition Intelligence Research,” April 2016 (PSY000076); Attorney Proffer, Burstien, April 12, 2019.

<sup>4433</sup> (U) Psy Group, “Base Intelligence Report on Felicia Michelle Tweedy,” April 3, 2016 (PSY000077–80). The individual in the profile was a district-level delegate to the 2016 Republican National Convention from the State of California.

<sup>4434</sup> (U) *Ibid.*

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individual named Scott Wilkinson.<sup>4435</sup> Birnbaum did not know who Wilkinson was, but sent him the proposals nonetheless.<sup>4436</sup>

(U) In a later exchange of emails sent on May 8, 2016, under the subject line “campaign proposal,” Psy Group employees discussed capabilities to make available to the Trump Campaign, including “psyop campaigns” concerning “the opposition.” The Psy Group employees also discussed the use of “[h]undreds of avatars driving negative messaging,” and “physical world ops like counter protests, hecklers, etc.” as means of advancing the referenced “psyop campaigns.”<sup>4437</sup>

(U) On the basis of the Committee’s investigation, however, it appears that Project Rome was never implemented by Psy Group. Birnbaum recalled that “this just kind of disappeared and died, and nothing came of it.”<sup>4438</sup> Burstien similarly did not believe that Invop or Psy Group ever actually performed work relating to Project Rome. Burstien and Psy Group ultimately abandoned hope of working with Birnbaum after he canceled several meetings in Israel to discuss the project with them.<sup>4439</sup>

**iv. (U) Zamel Pitches the Trump Campaign**

(U) After the Project Rome proposal pitched by Psy Group through Birnbaum had fallen through, Zamel also approached the Trump Campaign for a similar project in the second half of 2016. Zamel engaged the Trump Campaign with George Nader, an advisor to the United Arab Emirates, who had raised the possibility of his (Nader’s) financing a social media effort by Zamel targeting the 2016 U.S. presidential election.<sup>4440</sup>

(U) Zamel indicated that he first communicated with Nader in early 2016. Zamel and Nader were introduced by John Hannah, an advisor of Zamel’s, and began communicating multiple times a week and sometimes daily.<sup>4441</sup> In June 2016, the two met in St. Petersburg, Russia, as Nader was attending the St. Petersburg International Economic Forum, in order to

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<sup>4435</sup> (U) SSCI Transcript of the Interview of George Birnbaum, February 20, 2019, pp. 86–87.

<sup>4436</sup> (U) Birnbaum Tr., pp. 86–88. Gates sent Birnbaum and Wilkinson an email introduction, which explains how Birnbaum would have been able to transmit the proposals without already knowing Wilkinson. *See* Email, Gates to Birnbaum and Scott Wilkinson, April 5, 2016 (Birnbaum Production).

<sup>4437</sup> (U) Emails, Vesely, Burstien, Epstein, Fogel, “Yossef,” and Mortman, May 8, 2016 (PSY000295–PSY000296).

<sup>4438</sup> (U) Birnbaum Tr., pp. 86–111.

<sup>4439</sup> (U) Attorney Proffer, Burstien, April 12, 2019.

<sup>4440</sup> (U) Zamel Tr., pp. 70–72. George Nader, who was interviewed as part of the SCO’s investigation, later pleaded guilty to transportation of a minor boy for purposes of illegal conduct and possession of child pornography. *See* U.S. Attorney’s Office, Eastern District of Virginia, “Man Pleads Guilt to Child Exploitation Crimes,” January 13, 2020.

<sup>4441</sup> (U) *Ibid.*, pp. 112–115.

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discuss business opportunities. According to Zamel, U.S. politics was never discussed during this meeting with Nader.<sup>4442</sup>

(U) According to Zamel, he and Nader continued to meet a few more times in New York, Washington, D.C., and elsewhere.<sup>4443</sup> Sometime in July 2016, Nader expressed an interest in meeting with someone affiliated with either the Trump Campaign or Donald Trump's family. To broker such a meeting, Zamel contacted Erik Prince, who he understood to be involved in the presidential campaign.<sup>4444</sup> Erik Prince was in the process of cultivating his own access to the Trump Campaign and indicated that if successful, he might be able to assist in Zamel's efforts to connect Nader with the Campaign.<sup>4445</sup>

(U) In the midst of that discussion, on August 1, 2016, Royi Burstien sent Zamel a document describing Psy Group's capabilities relating to the 2016 U.S. presidential election.<sup>4446</sup> The two-page summary document was titled "Project Rome" and dated May 2016, but differed from the similarly-named proposal created for Birnbaum. The document outlined a suite of services Psy Group would make available to a client, including "generat[ing] influence through various online and offline platforms, assets and techniques," and the creation and promotion of "tailored third-party messaging directed toward optimizing impact and acceptance within the target audience(s)." The proposal overview noted that Psy Group's services "focus on select voter groups/segments that may not be susceptible to campaign messaging originating from the candidate or organizations known to be affiliated with the candidate." The proposal also identified minority communities, suburban female voters, and undecided voters as being among the prospective targeted voter segments.<sup>4447</sup> Burstien did not believe he ever heard back from Zamel about the summary document.<sup>4448</sup>

(U) Shortly thereafter, in early August 2016, Zamel, Erik Prince, and George Nader met with Donald Trump Jr. at the Trump Tower building in New York. According to Zamel, Prince led the meeting. Prince and Trump Jr. discussed issues pertaining to the Campaign. Later in the

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<sup>4442</sup> (U) *Ibid.*, pp. 115–120. Zamel recalled that, several days later, Nader sent him a picture of Nader with Vladimir Putin, which Zamel understood was meant to demonstrate Nader's access. *See ibid.*, pp. 117–118, 128–129.

<sup>4443</sup> (U) *Ibid.*, p. 124.

<sup>4444</sup> (U) *Ibid.*, pp. 129–133.

<sup>4445</sup> (U) *Ibid.*, pp. 132–135.

<sup>4446</sup> (U) Attorney Proffer, Burstien, April 12, 2019; Email, Burstien to Zamel, August 1, 2016 (PSY000289 – PSY000292). Burstien stated Zamel originally requested the document in May 2016, though he did not recall sending the document to Zamel until August 1, 2016. *See* Attorney Proffer, Burstien, April 12, 2019. Zamel said Burstien would not have been aware of Zamel's specific use of the proposal in approaching the Trump Campaign with Nader. *See* Zamel Tr., pp. 71–72.

<sup>4447</sup> (U) Psy Group, "Project 'Rome' Campaign Intelligence & Influence Services Proposal," May 2016 (PSY000290–PSY000292).

<sup>4448</sup> (U) Attorney Proffer, Burstien, April 12, 2019.

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meeting, Nader raised issues pertinent to the Middle East, specifically ISIS and Iran. Zamel indicated that Stephen Miller joined the roughly 25-minute meeting at about the half-way point. Zamel did not recall Russia being mentioned at any time during the meeting.<sup>4449</sup>

(U) Near the conclusion of the meeting, Zamel explained “very briefly” the work of his private intelligence firms, Wikistrat and Psy Group. In relation to Psy Group, Zamel asked Trump Jr. whether Psy Group’s conducting a social media campaign paid for by Nader would present a conflict for the Trump Campaign. According to Zamel, Trump Jr. indicated that this would not present a conflict. Trump Jr. also indicated that a Psy Group social media campaign would not conflict with the Trump Campaign’s own efforts.<sup>4450</sup>

(U) In testimony to the Committee, Donald Trump Jr. indicated that he remembered George Nader from the August 2016 meeting, but was familiar with Joel Zamel’s name only from preparing for Committee testimony. According to Trump Jr.’s recollection of the August 2016 meeting, Erik Prince visited Trump Jr.’s office on relatively short notice, and was accompanied by Nader and Zamel. Trump Jr. did not recall any conversation concerning Middle East extremist groups or Iran sanctions, or organized efforts to assist the Trump Campaign, but he did remember talking to the individual later established to be Zamel about “combatting fake news.”<sup>4451</sup>

(U) Zamel indicated that in the weeks after the August meeting with Donald Trump Jr., Nader “circumvented” Zamel and began to communicate directly with Trump Jr., leaving Zamel “cut out.” Asked whether Erik Prince ever encouraged Nader to pay Psy Group to undertake the project Zamel and Nader were considering, Zamel responded affirmatively and indicated that Prince made a statement along the lines of “[y]ou should pay him.” Zamel quoted a price of “five to ten [million dollars]” to Nader for the work and in response Nader indicated he would be willing to pay five million dollars to begin the work.<sup>4452</sup> The Committee did not find or receive information probative of the source of the five million dollars referenced by Nader.

(U) Zamel told the Committee that Psy Group performed no work relative to the 2016 U.S. presidential election; “[n]ot a tweet, not a character, nothing.”<sup>4453</sup> Nonetheless, as described below, Zamel engaged in work on behalf of Nader, for which he was paid in excess of \$1 million.<sup>4454</sup>

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<sup>4449</sup> (U) Zamel Tr., pp. 136–150.

<sup>4450</sup> (U) *Ibid.*

<sup>4451</sup> (U) Trump Jr. Tr. II, pp. 94–98.

<sup>4452</sup> (U) Zamel Tr., pp. 159–171.

<sup>4453</sup> (U) *Ibid.*, p. 173.

<sup>4454</sup> (U) *Ibid.*, pp. 190–191. Zamel declined to state the exact amount paid by Nader, stating that the amount was “over a million dollars” and “under five million.” *See ibid.*

v. (U) After the 2016 U.S. Presidential Election

(U) Zamel indicated that in mid-November 2016, Nader contacted him seeking to obtain “a lot of documents on extremist groups,” and “something that shows social media’s impact on the election.” Zamel described the desired analysis as “a reflection on what social media’s effect on the election was as seen by different sources.” Zamel indicated that Nader never explained why he wanted the social media analysis.

(U) Zamel never communicated the request for the social media analysis to Psy Group, opting instead to bring the request to Daniel Green, despite Green’s lack of relevant experience or proficiency in data analytics, polling, or political analysis. According to Zamel, Green “Googled a bunch of articles” and summarized the content in a presentation that was prefaced with the disclaimer: “This is an academic study based on open source materials.”<sup>4455</sup>

(U) Zamel presented the social media analysis to Nader in New York in January 2017. Zamel stated he never provided a copy of the presentation to Nader, either in hard copy or electronically. The presentation was brought from Israel to New York on a thumb drive, presented on a single laptop computer, and transported back to Israel by Zamel. According to Zamel, Nader indicated that he intended to show the social media presentation to “the young man.” Based on his familiarity with Nader’s use of such descriptors, Zamel understood “the young man” to be Donald Trump Jr. After viewing the presentation with Zamel in January, Nader never again asked about the requested analysis. Zamel asserted that the presentation was deleted from the laptop computer and the thumb drive upon his return to Israel, adding that “at some point, [Nader] said: ‘I don’t need it.’”<sup>4456</sup>

(U) Zamel indicated that he was paid “over a million dollars” for the presentation and an accompanying analysis of the “Muslim Brotherhood and extremism.”<sup>4457</sup> According to news media reporting, an associate characterized the amount of money paid to Zamel as “up to \$2 million.”<sup>4458</sup> Zamel indicated that payment for these materials from Nader came directly “from his personal account to a business entity related to me,” and was made prior to the presentation of the requested analysis.<sup>4459</sup>

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<sup>4455</sup> (U) *Ibid.*, pp. 182–189.

<sup>4456</sup> (U) *Ibid.*, pp. 182–217.

<sup>4457</sup> (U) *Ibid.*, p. 187.

<sup>4458</sup> (U) Mark Mazzetti, et al., “Trump Jr. and Other Aides Met With Gulf Emissary Offering Help to Win Election,” *The New York Times*, May 19, 2018.

<sup>4459</sup> (U) Zamel Tr., pp. 196–198.

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(U) In a November 28, 2016 email, Psy Group employees discussed “creating avatar armies to offer a service which could offer a similar effect the way Trump used masses of fake accounts on social media to create trending hashtags and create buzz around certain hot topics.”<sup>4460</sup> It was noted in this exchange that “due to FB’s [Facebook’s] anti-fraud we could only do this small scale on FB [Facebook] but on [T]witter there was still opportunity to develop an automated system.”<sup>4461</sup> The exact meaning of the reference to Trump in this email is unclear. The Committee’s investigation into Russia’s use of social media to conduct foreign influence operations documents Russia’s employment of fake online personas, often in support of the Trump Campaign, but the Committee did not find sufficient evidence to support the assertion that the Trump Campaign itself engaged in these practices.<sup>4462</sup>

(U) A breakdown of anticipated Psy Group revenue for work performed in Washington, D.C. was forwarded as an attachment to a February 11, 2017, email sent from Scott Mortman to Royi Burstien. Among the prospective revenue sources was a project for General Electric that Psy Group was expected to support through a subcontract with Cambridge Analytica.<sup>4463</sup>

(U) An email from February 5, 2018, detailed a series of Psy Group business development meetings. One such meeting was with David Eichenbaum, identified as a campaigner and “media expert for political campaigns, working for the Democratic party.” Among the opportunities discussed was Psy Group’s potentially working with Eichenbaum in support of his effort to “raise funds from West coast high tech HNWI’s [high-net-worth individuals] to open a SuperPac that will focus on these new capabilities for the coming Congress / Senate / Governor races in 2018 – as a proof of concept for the 2020 national elections.”<sup>4464</sup>

(U) According to Burstien’s proffer, to capitalize on what was anticipated to be an expanded market for Psy Group’s services following the Trump Campaign’s victory, a “look-back” presentation touting the company’s capabilities vis-à-vis social media was prepared by Invop. Burstien indicated that this presentation was not prepared at Zamel’s request.<sup>4465</sup>

(U) Zamel stated that Rudy Giuliani introduced him to Jared Kushner “months after the inauguration” when he met with Kushner at the White House to discuss human rights issues in the Middle East, Iran, and “counter-extremism.”<sup>4466</sup>

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<sup>4460</sup> (U) Email, Vesely to Shraga, Yossef, Biton, Burstein, Eliyahou, and Mortman, November 28, 2016 (PSY000338).

<sup>4461</sup> (U) *Ibid.*

<sup>4462</sup> (U) *See infra* Vol. 2.

<sup>4463</sup> (U) Email, Mortman to Burstien, February 11, 2017 (PSY000310–311).

<sup>4464</sup> (U) Email, Charnoff to Burstien, Danilov, Cohen, and “Oren,” February 5, 2018 (PSY000370–PSY000372).

<sup>4465</sup> (U) Attorney Proffer, Burstien, April 12, 2019.

<sup>4466</sup> (U) Zamel Tr., pp. 231–235.

vi. (U) Additional International Activity

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vii. (U) WikiStrat

(U) Zamel co-founded Wikistrat, a global crowd-sourced consulting firm, in approximately 2009.<sup>4469</sup> Zamel indicated that he spoke over the telephone with Lieutenant General Michael Flynn about Wikistrat’s work in either 2014 or 2015, but the conversation never materialized into a personal or business relationship. Zamel indicated to the Committee that he had never actually met Flynn in person.<sup>4470</sup>

(U) According to Zamel, retired U.S. intelligence officer David Shedd served as an advisor to Wikistrat. During the 2016 U.S. presidential campaign, Shedd indicated that he was in contact with Jeff Sessions and asked Zamel to prepare a policy paper on hosting a conference of Muslim leaders from around the world for the purpose of collectively condemning the practice of suicide bombings as an illegitimate form of violence. In September 2016, Zamel accompanied Shedd to a meeting with then-Senator Jeff Sessions in his Senate office. The

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<sup>4467</sup> [REDACTED]

<sup>4468</sup> (U) *Ibid.*, p. 21.

<sup>4469</sup> (U) Crunchbase.com, profile of Wikistrat. Zamel described Wikistrat as a “crowd-sourced consulting” company with “a network of over 5,000 subject matter experts across 70 different countries around the world that we bring together online on our platform. We run war gaming simulations and studies for different agencies or corporations to think about complex issues or the future of different issues.” See Zamel Tr., pp. 5–6.

<sup>4470</sup> (U) *Ibid.*, p. 175. Zamel stated that the conversation occurred just after Flynn retired from military service. See *ibid.* According to the Defense Intelligence Agency, Flynn retired on August 7, 2014. See DIA Public Affairs, “Lt. Gen Flynn retires from DIA, 33-year Army career,” August 7, 2014.

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meeting concerned using social media to delegitimize ISIS.<sup>4471</sup> The Committee did not further explore this meeting.

**4. (U) Colt Ventures and VizSense**

**i. (U) Initial Efforts to Work with the Trump Campaign**

(U) Venture capital firm Colt Ventures was formed in 2003 by Darren Blanton, a Dallas-based investor who served as an adviser to the Trump Transition team.<sup>4472</sup> Colt Ventures is an investor in VizSense, a Dallas-based social-media and “micro-influencer” company co-founded by Jon Iadonisi and Timothy Newberry in 2015.<sup>4473</sup> Colt Ventures was paid \$200,000 by the Trump Campaign for “data management services,” a portion of which was remitted to VizSense for work it performed as part of the agreement between Colt Ventures and the Trump Campaign.<sup>4474</sup>

(U) In July 2016, Iadonisi discussed with Flynn the role “influencers” would play in determining the outcome of the 2016 U.S. presidential election. Flynn connected Iadonisi with the Trump Campaign, in the ambition of connecting him to “whomever is running these operations for the Trump campaign.”<sup>4475</sup>

(U) Emails from August 18, 2016, indicate that Iadonisi spoke with Brad Parscale and another Trump Campaign staffer about VizSense. Iadonisi sent examples of VizSense’s work the following day, including a “persuasion campaign using organically created content to drive a conversation . . . using influencers to spread the message.” Iadonisi noted that this “same technique can be used in politics, where the *content and influencers* are surgically designed to deliver a political message to a specific audience, creating a digital bonfire of conversation.”<sup>4476</sup>

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<sup>4471</sup> (U) *Ibid.*, pp. 243–249.

<sup>4472</sup> (U) See [www.coltventures.com](http://www.coltventures.com) for an overview of Colt Ventures and [www.coltventures.com/team.php](http://www.coltventures.com/team.php) for a profile of Darren Blanton; see also Matea Gold, “The mystery behind a Flynn associate’s quiet work for the Trump campaign,” *The Washington Post*, May 4, 2017.

<sup>4473</sup> (U) Crunchbase.com, profile of VizSense; Email, Flynn to Lawless, August 11, 2016 (FLYNN\_SSCI\_00010449–FLYNN\_SSCI\_000450).

<sup>4474</sup> (U) Federal Election Commission, Disbursements, Donald J. Trump for President, Inc., 2015-2016, reference December 5, 2016; Written Responses, Blanton, August 16, 2019; Email, Iadonisi to Blanton, Moore, and Flynn, November 14, 2016 (FLYNN\_SSCI\_00015144–FLYNN\_SSCI\_00015146) (discussing compensation arrangement).

<sup>4475</sup> (U) Emails, Flynn, J. Miller, Manafort, M.G. Flynn, Roys, and Scavino, July 15–19, 2016 (FLYNN\_SSCI\_00003066–FLYNN\_SSCI\_00003072).

<sup>4476</sup> (U) Emails, Iadonisi, Coby, Parscale, Flynn, M. G. Flynn, and Kushner, August 18 – September 7, 2016 (FLYNN\_SSCI\_00010812–FLYNN\_SSCI\_00010814).

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(U) In mid-September 2016, Iadonisi sent a proposal to Bannon, titled “Trump\_Campaign\_Proposal\_9\_9\_16.pdf.”<sup>4477</sup> Bannon requested that Blanton, Bannon’s longtime friend who had recently sought to become involved in the Trump Campaign, meet with Iadonisi and review the proposal.<sup>4478</sup> Iadonisi, in turn, connected Blanton to Flynn, in connection with Bannon’s request that Blanton review the proposal.<sup>4479</sup>

(U) On September 14, 2016, Iadonisi sent a draft statement of work to Darren Blanton that broke the notional work to be performed by VizSense into three deliverables: installation and set-up, analysis and tasking from Trump Campaign, and conducting of operations—with daily updates provided. The statement of work contemplated a fee of \$769,000, and included services such as “[d]etermine critical voting districts . . . to focus the voter support team . . . efforts,” “[a]ssess online sentiment/narratives according to each [critical voting district],” and “[p]rovide an executive summary about prominent narratives and proposed offensive operations needed to mobilize Trump voters in each [critical voting district].”<sup>4480</sup> That same day, in a separate email, Iadonisi described an operational concept that could “be used by the wider campaign effort (polling) to direct Trump advertising dollars with precision.”<sup>4481</sup> On September 18, 2016, Iadonisi sent a contract services agreement to Bannon, Flynn, and others.<sup>4482</sup>

(U) VizSense’s efforts to contract directly with the Trump Campaign were unsuccessful. On September 22, 2016, Iadonisi informed Flynn that he had heard through Blanton that “Steve Bannon is basing the campaign strategy on Brad Parscale and his team. They have declined our offer.” Iadonisi further stated that in the alternative, “they asked if we could do it for free and focus on Trump fundraising. We would be able to keep 25% of what we raised.” Iadonisi indicated that he declined the offer.<sup>4483</sup>

(U) Blanton, however, continued to pursue a contract. In an email exchange from September 27, 2016, Blanton indicated that Oczkowski “[h]as a team of data scientists and they sit right outside of [Dan Scavino’s] door. I spoke to them and think that they have a good grasp to work with us if Steve [Bannon] is ok with that?” In response, Bannon told Blanton to “just

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<sup>4477</sup> (U) Email, Iadonisi to Bannon, September 13, 2016 (FLYNN\_SSCI\_00010889–FLYNN\_SSCI\_00010892).

<sup>4478</sup> (U) Email, Bannon to Blanton, September 13, 2016 (FLYNN\_SSCI\_00010890–FLYNN\_SSCI\_00010892).

<sup>4479</sup> (U) Emails, Flynn, Blanton, and Iadonisi, September 13, 2016 (FLYNN\_SSCI\_00010885–FLYNN\_SSCI\_00010888); Email, Flynn to Bannon, September 13, 2016 (FLYNN\_SSCI\_0010889–FLYNN\_SSCI\_0010892).

<sup>4480</sup> (U) Email, Iadonisi to Blanton, Flynn, and M. G. Flynn, September 14, 2016 (FLYNN\_SSCI\_00010908–FLYNN\_SSCI\_00010910).

<sup>4481</sup> (U) Email, Iadonisi to Blanton, Flynn, and M. G. Flynn, September 14, 2016 (FLYNN\_SSCI\_00010906–FLYNN\_SSCI\_00010907).

<sup>4482</sup> (U) Email, Iadonisi to Bannon, Blanton, Flynn, and M. G. Flynn, September 18, 2016 (FLYNN\_SSCI\_00010928–FLYNN\_SSCI\_00010931).

<sup>4483</sup> (U) Email, Iadonisi to Flynn, September 22, 2016 (FLYNN\_SSCI\_00011492).

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listen to” Oczkowski, but not commit to him.<sup>4484</sup> Blanton’s overtures to Bannon continue with a subsequent email that same day, with the subject line “Did call on foreign voters this is the week they request ballots. Got to act quick.” Blanton indicated that he “spoke to Jesse at [GOP] about foreign voters and have a strategy. He’s getting me as many digital addresses as he can find. We need to send out a video request from [then-candidate Trump] via social [media] to ask for their votes.”<sup>4485</sup>

(U) The following day, in a September 28, 2016 email, Blanton made a protracted appeal to Bannon about “the content strategy and GOTV [Get Out The Vote] plan.”<sup>4486</sup> This exchange preceded a series of communications involving work Blanton performed on behalf of the Trump Campaign, leveraging targeted social media messaging to advance campaign-friendly messaging for overseas voters.

- (U) On September 30, 2016, Blanton emailed deputy manager to the Trump Campaign David Bossie that “[a]ccording to our expert in the UK these are some sample tweets that will move the needle to get votes with the millions of American citizens living overseas,” adding that “[w]e can also monitor how they are resonating with influencers once we get approval to use our tools.”<sup>4487</sup>
- (U) In an October 2, 2016 email to Bannon, Parscale, and Flynn, with the subject line “Re: Give us the go ahead and we will start feeding you intel on what the Chatter is on social and infographics to feed through our campaign funnels,” Darren Blanton asked about messaging via “other mediums like Facebook,” and whether “any of those tweets on [o]verseas voters got launched?”<sup>4488</sup>
- (U) In an exchange of emails from October 3, 2016, Blanton and Bannon communicated about a proposal that Blanton and Flynn were promoting. Bannon instructed Blanton to “[g]et with [David Bossie].” In responding, Blanton asked Bossie about his availability to discuss the proposal, and noted that “Flynn can tell you about [the proposal] when y’all are with Trump today.”<sup>4489</sup>

ii. (U) [REDACTED] and Overseas Voters

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<sup>4484</sup> (U) Emails, Blanton, Flynn, and Bannon, September 27, 2016 (DB-SSCI-000895–DB-SSCI-000897).  
<sup>4485</sup> (U) Email, Blanton to Bannon, September 27, 2016 (DB-SSCI-000895).  
<sup>4486</sup> (U) Email, Blanton to Bannon, September 28, 2016 (DB-SSCI-000890).  
<sup>4487</sup> (U) Email, Blanton to Bossie and Bannon, September 30, 2016 (DB-SSCI-000888–DB-SSCI-000889).  
<sup>4488</sup> (U) Email, Blanton to Bannon, Parscale, and Flynn, October 2, 2016 (DB-SSCI-000886).  
<sup>4489</sup> (U) Email, Blanton to Bannon, Bossie, and Moore, October 3, 2016 (DB-SSCI-000885).

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4493 [REDACTED] See Samir Kajosevic, "Montenegro Prosecution Suspects Israeli Consultant of Coup Role," *Balkan Insight*, July 31, 2019.

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**iii. (U) Colt Ventures Work on Behalf of the Trump Campaign**

(U) On October 8, 2016, Flynn forwarded to Parscale a contract relative to work to be performed by Colt Ventures LP, as well as bank account and wire transfer routing information. Flynn indicated that “we have already begun work on the priorities” previously identified by Parscale. Flynn added that the “first priority is to immediately . . . support the influence component of the upcoming debate, learn from it and continue to provide value by helping to increase voter awareness and sentiment in support of [then-candidate Donald Trump].”<sup>4501</sup>

(U) In an October 8, 2016 email, Blanton asked Flynn whether he had obtained “any more feedback or updates from [the Trump] campaign?” In response, Flynn indicated that there had been “no feedback from Brad [Parscale] yet.”<sup>4502</sup>

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4499 (U) *Ibid.*

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4501 (U) Email, Flynn to Parscale, M.G. Flynn, Blanton, Iadonisi, Bossie, and Bannon, October 7, 2016 (FLYNN\_SSCI\_00012941–FLYNN\_SSCI\_00012952).

4502 (U) Emails, Blanton and Flynn, October 8, 2016 (DB-SSCI-000801–DB-SSCI-000801).

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(U) Blanton identified the Big League Truth Team, which appears to be a “fact checker site” associated with the Trump Campaign, as “one of the things we are going to help [the] campaign on.”<sup>4503</sup> On October 9, 2016, Blanton forwarded an email to Flynn and Iadonisi with the subject line “Instructions,” containing information on the “Big League Truth Team.” The forwarded message instructed recipients that “[b]efore, during and after each debate we will send you messages we need you to spread online. Use Twitter, Facebook, Email and any other tool you have to spread what we send you.” The message concluded by highlighting upcoming and past presidential debate dates, and an invitation to recruit additional members to the Big League Truth Team.<sup>4504</sup> Earlier in the day, Blanton sent a note in this regard to Peter Thiel, asking that he “get [his] people and all their friends to go get on [the Big League Truth Team] website.”<sup>4505</sup> The Big League Truth Team was identified by Flynn as one of two named priorities provided by Brad Parscale, along with “the Clinton/Keane [Kaine] website,” in an October 6 email to Blanton.<sup>4506</sup>

(U) In an email dated October 10, 2016, Blanton reported to Donald Trump Jr., and Flynn that “[w]e stirred up a shit load of positive traffic and [social media narratives] with Gen. Flynn and my team.” Trump Jr. thanked Blanton, and Blanton replied that he was invigorating efforts targeting specific voter segments and that “Flynn and I will send you the report from what we stirred up last night and we can collaborate with you.” Trump Jr. responded to Blanton, “Great . . . get it out there. Other than the media spin there is no actual reason we shouldn’t outperform prior GOP candidates with this group.”<sup>4507</sup>

(U) The same day, Flynn provided Bannon a summary of results from what appears to be a social media messaging operation conducted on October 8-10, 2016, by the company VizSense.<sup>4508</sup> Denigrating Hillary and former President Bill Clinton, and depicting the latter as “a rapist” were central narratives to the messaging campaign. As evidence of the campaign’s effectiveness, the presentation noted that Twitter activity around posts relevant to the theme “Bill Clinton is a [r]apist” amounted to 123.8 million impressions “in the 7 days before [VizSense] engaged.”<sup>4509</sup> During the two days of the social media messaging campaign conducted by VizSense, which preceded the October 9, 2016, presidential debate at which the Trump

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<sup>4503</sup> (U) Email, Blanton to Besemer, Iadonisi, and Flynn, October 6, 2016 (FLYNN\_SSCI-00012848); Email, Blanton to Flynn, Thiel, Iadonisi, October 9, 2016 (FLYNN\_SSCI\_00013180).

<sup>4504</sup> (U) Email, Blanton to Flynn and Iadonisi, October 9, 2016 (FLYNN\_SSCI\_00013178–FLYNN\_SSCI\_00013179).

<sup>4505</sup> (U) Email, Blanton to Flynn, Thiel, and Iadonisi, October 9, 2016 (FLYNN\_SSCI-00013180).

<sup>4506</sup> (U) Email, Flynn to Blanton, October 6, 2016 (FLYNN\_SSCI-00012818).

<sup>4507</sup> (U) Emails, Blanton, Flynn, and Trump Jr., October 10, 2016 (FLYNN\_SSCI-00013484).

<sup>4508</sup> (U) Email, Flynn to Bannon, M. G. Flynn, Blanton and Iadonisi, October 10, 2016 (FLYNN\_SSCI\_00013493–FLYNN\_SSCI\_00013506) (with attachments).

<sup>4509</sup> (U) *Ibid.*

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Campaign attempted to seat a trio of women who have accused former President Clinton of making unwanted sexual advances,<sup>4510</sup> a total of “177.5 million impressions” were generated around this theme. An analysis of the social media messaging operation noted that “[t]he mission peaked on Twitter at exactly the calculated time—during the debate.” Flynn appealed to Bannon to “help to get the contract moving,” noting that he had been in contact with Parscale in this regard, but had heard nothing in response. Acknowledging that Parscale is “probably extremely busy,” Flynn remarked that “we are ready to keep pushing the envelope to help us win.”<sup>4511</sup>

(U) In an exchange of emails from October 2016, Flynn suggested directly to Iadonisi a line of campaign messaging focused on Hillary Clinton’s neglect of cybersecurity protocols that would characterize Clinton as “soft on cybersecurity” and likely to “put our nation’s secrets again at risk if she ever gets into the [White House].”<sup>4512</sup> In response, Darren Blanton remarked “[t]hat is so true and we need to virally distribute all these wiki leaks and take advantage of the cultural shift in the way people communicate. . . . We need to be the source and chef to prepare the wiki info to eat! It just needs to be researched and then broke down into bites so that the public influencers can distribute!! [sic].”<sup>4513</sup>

(U) In a November 2, 2016 email with the subject line “CUBA Project,” Iadonisi sent a presentation to Flynn detailing what appears to be an influence campaign dubbed “OP Havana Spring.” The materials were presented under the heading “COLT TEAM.” An October 21, 2016, rally in support of Trump that occurred in Havana, Cuba, was central to the influence campaign, which was intended to “[c]onvert Cuban-American and Latinos from Miami into Trump Supporters.” A presentation slide bearing the VizSense logo depicted social media engagement metrics subsequent to the rally, noting that “1.8 million impressions” and “6,182 mentions [were] generated in just 2 and a half days.” The hashtags “#Castro4Clinton” and “#OperationMojito” were created to facilitate sharing of news about the rally on social media. “Vets4Trump” and “@DanpGabriel” were identified as instrumental in the initial circulation of this story on social media, but “[t]weets from campaign insiders or mega influencers would help give this story more legs to run into next week and reach more Hispanics in Florida and Nevada (third largest population of Cubans).” Among the final points captured in the presentation was that news of the rally was “very viral and should be spread further on Twitter and [Facebook] by

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<sup>4510</sup> (U) Jeremy W. Peters, “Trump Campaign Tried to Seat Bill Clinton’s Accusers in V.I.P Box, *The New York Times*, October 10, 2016.

<sup>4511</sup> (U) Email, Flynn to Bannon, M. G. Flynn, Blanton, and Iadonisi, October 10, 2016 (FLYNN\_SSCI\_00013493–FLYNN\_SSCI\_00013506) (with attachments).

<sup>4512</sup> Email, Flynn to Iadonisi and Blanton, October 14, 2016 (FLYNN\_SSCI\_00013770).

<sup>4513</sup> (U) Email, Blanton to Flynn, Thiel, and Iadonisi, October 14, 2016 (DB-SSCI-000786).

[REDACTED]

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the Trump Campaign.”<sup>4514</sup> The Committee was unable to definitively ascertain the effect of the Havana rally.

**iv. (U) Colt Ventures and VizSense Get Paid**

(U) A series of emails from late-October 2016 details the submission and final disposition of an invoice for services performed by Colt Ventures for the Trump Campaign. An initial itemized invoice for \$650,000 was submitted on October 22, 2016 by Megan Moore, an executive assistant for Colt Ventures, to Jeff DeWit, the chief operating officer for the Trump Campaign. DeWit sent the invoice to Kushner, Parscale, Sean Dollman, and Steven Mnuchin, noting his objection to the invoice, claiming the services were never contracted for. Upon receipt of the note from DeWit, Parscale sent an email to Kushner stating that “[w]e actually never agreed to this and have no contract. Money became so tight and [Lieutenant General Flynn] never really said it would be a personal favor. This is WAY more than I agreed to.”<sup>4515</sup> Kushner pursued the matter with Flynn, and ultimately assented to funding an initial tranche of work for \$200,000 upon Flynn’s vouching for the “exceptional results” of the work performed by Colt Ventures.<sup>4516</sup> According to Blanton, the funds were primarily for work performed by VizSense for its get-out-the-vote efforts, with a small portion used to reimburse Blanton for travel costs associated with work for the Trump Campaign.<sup>4517</sup>

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<sup>4514</sup> (U) Email, Iadonisi to Flynn, November 2, 2016 (FLYNN\_SSCI\_00014679–FLYNN\_SSCI\_00014684).

<sup>4515</sup> (U) Email, Parscale to Kushner, October 23, 2016 (FLYNN\_SSCI\_00014465–FLYNN\_SSCI\_00014467).

<sup>4516</sup> (U) Emails, Moore, Parscale, DeWit, Kushner, Flynn, Dollman, Mnuchin, and Blanton, October 22–25, 2016 (FLYNN\_SSCI\_00014474–FLYNN\_SSCI\_00014495).

<sup>4517</sup> (U) Written Responses, Blanton, August 16, 2019.

**K. (U) Transition**

**1. (U) Introduction and Findings**

(U) Immediately following the 2016 U.S. election, Russian government officials and oligarchs began approaching the Trump Transition team, directing their efforts through multiple individuals and channels of communication. The Transition's response to certain of these contacts was notable in light of the U.S. Government's determination that Russia had interfered in the 2016 U.S. election and its late-December decision to impose sanctions. Because the Russian government had engaged in a months-long active measures campaign targeting the election, which Trump had just won, the Committee examined these activities and the Transition's response in order to more fully understand what Moscow sought to gain and the counterintelligence vulnerabilities associated with the Transition.

(U) The Committee focused on several aspects of this outreach, including direct communications between Transition officials and Russian government officials. In addition to phone calls between Trump and Putin, the Committee examined a series of meetings and communications involving Jared Kushner and incoming National Security Advisor Michael Flynn with the Russian Ambassador, Sergei Kislyak, and the Chairman of a Russian bank, Sergei Gorkov, who was said to have a direct line to Putin.

(U) The Committee also scrutinized communications involving individuals informally associated with the Trump Transition and Russian oligarchs who had been tasked by Putin to conduct outreach. Most notably, Kirill Dmitriev pursued contacts and a business deal with American hedge fund manager Rick Gerson, which he used to deliver a Putin-authorized "reconciliation plan" to the Transition Team. Dmitriev also met with Erik Prince in the Seychelles with the intention of establishing contact with the Transition Team, a meeting that Prince said was known to Steve Bannon, to whom Prince said he reported. George Nader, a senior advisor to UAE Crown Prince Muhammad bin Zayed and contact of Dmitriev, facilitated these interactions.

(U) The Committee further explored activities within the Transition relating to the imposition of sanctions on Russia by the United States in response to Russia's election interference. The Committee reviewed a series of communications between Flynn and Kislyak on sanctions and the Transition's treatment of the issue, as well as other actions that had the potential to undermine the current administration's conduct of foreign policy.

(U) Although the Committee's investigation focused primarily on the Transition's interaction with Russia, evidence indicates that the Transition Team engaged in similar communications with other foreign countries. However, because the Committee limited its investigation to matters related to Russia, those exchanges are not described here.

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(U) Russia and other countries took advantage of the Transition Team’s inexperience, transparent opposition to Obama Administration policies, and Trump’s desire to deepen ties with Russia, to pursue unofficial channels through which Russia could conduct diplomacy. The lack of vetting of foreign interactions by Transition officials left the Transition open to influence and manipulation by foreign intelligence services, government leaders, and co-opted business executives.

(U) Across the Transition Team’s engagements with foreign actors, particularly with regard to Russia or individuals with ties to Russia, the Transition Team appeared disorganized and unprepared, which created notable counterintelligence vulnerabilities.

- (U) Transition officials had little awareness of their counterparts within foreign governments and did not appear to take sufficient security precautions in light of known foreign intelligence efforts against the election.
- (U) Russian officials, intelligence services, and others acting on the Kremlin’s behalf were capable of exploiting the Transition’s shortcomings for Russia’s advantage. Based on the available information, it is possible—and even likely—that they did so.

(U) The Transition Team repeatedly took actions that had the potential, and sometimes the effect, of interfering in U.S. diplomatic efforts. These actions were not part of a visible overriding foreign policy; instead, efforts were narrow and transactional, seeking outcomes on only a select set of issues. This created unnecessary confusion among U.S. allies and other world leaders, creating the potential to harm America’s ability to conduct diplomacy both bilaterally and in multilateral institutions, and undermine U.S. credibility and influence.

**2. (U) Trump Transition Holds Meetings and Calls with Russian Officials**

**i. (U) Putin’s Congratulatory Phone Call with Trump**

(U) In the early morning hours of November 9, 2016, following Donald Trump’s victory in the presidential election, Trump Campaign spokeswoman Hope Hicks received a phone call from a man claiming to be calling from the Russian Embassy who provided the first name “Sergey.”<sup>4518</sup> Hicks did not clarify for the Committee whether he failed to provide a last name, or whether she simply had difficulty understanding the last name. Although Hicks understood “that he wanted help to connect the Kremlin by telephone with Trump to allow President Putin to

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<sup>4518</sup> (U) Written Responses, Hicks, June 29, 2017.

[REDACTED]

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congratulate President-elect Trump,” because of her difficulty understanding the caller, she suggested he send her an email about his request.<sup>4519</sup>

(U) According to Hicks, the call lasted approximately one to three minutes.<sup>4520</sup> She did not find the call to be unusual because she had received several calls from unknown numbers throughout the campaign, and had received several calls of congratulations for Trump since the election results had begun coming in the previous night.<sup>4521</sup> At 5:27 a.m., she received an email from Sergey Kuznetsov,<sup>4522</sup> a Political Officer at the Russian Embassy, with the subject line, “Message from President Putin.”<sup>4523</sup> She assumed it was the same Sergey who had previously called her.<sup>4524</sup> The email contained two attachments with messages of congratulations from President Putin to the President-elect: one in Russian, and one in English.<sup>4525</sup> The message read.<sup>4526</sup>

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<sup>4519</sup> (U) *Ibid.*

<sup>4520</sup> (U) *Ibid.*

<sup>4521</sup> (U) *Ibid.*

<sup>4522</sup>

[REDACTED]

<sup>4523</sup> (U) Email, Kuznetsov to Hicks, November 9, 2016 (NSSCI00000029).

<sup>4524</sup> (U) Written Responses, Hicks, June 29, 2017.

<sup>4525</sup> (U) Email, Kuznetsov to Hicks, November 9, 2016 (NSSCI00000029–31).

<sup>4526</sup> (U) Letter, Putin to Trump, November 9, 2016 (NSSCI00000031).

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Unofficial translation

Moscow, November 9, 2016

Dear Mr. Trump,

Please accept my sincere congratulations on the occasion of your victory in the US presidential election.

I look forward to working with you on leading Russian-American relations out of crisis, as well as resolving pressing issues of international agenda and searching for effective solutions to global security challenges.

I am confident that building constructive dialogue between Moscow and Washington based on the principles of equality, mutual respect and genuine consideration of each others interests is equitable to the interests of the people of our countries and the world community.

I wish you sound health, prosperity and success in such a responsible position as the head of state.

Respectfully,

Vladimir Putin

HIS EXCELLENCY  
MR. DONALD J. TRUMP  
PRESIDENT ELECT OF THE UNITED STATES OF AMERICA

Washington, D.C.

(U) In his email, Kuznetsov asked that Hicks convey the message to Trump.<sup>4527</sup> After receiving Kuznetsov's email, Hicks forwarded the request to Jared Kushner asking if the email seemed legitimate, and whether Kuznetsov was "who he claimed to be."<sup>4528</sup> In her message, Hicks said, "Can you look into this? Don't want to get duped but don't want to blow off Putin!"<sup>4529</sup> According to Hicks, "I understood Jared to have been serving as the conduit for foreign

<sup>4527</sup> (U) Email, Kuznetsov to Hicks, November 9, 2016 (NSSCI00000035).

<sup>4528</sup> (U) Written Responses, Hicks, June 29, 2017.

<sup>4529</sup> (U) Email, Hicks to Kushner, November 9, 2016 (NSSCI00000029).

[REDACTED]

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representatives throughout the campaign, and therefore he was the person I assumed would know if this was a prank or a call from a legitimate official.”<sup>4530</sup>

(U) After receiving Hicks’s email, Kushner sent a message to Dimitri Simes, who had worked with Kushner on organizing the Mayflower Hotel foreign policy speech.<sup>4531</sup> Simes was the President and Chief Executive Officer of the Center for the National Interest, a think tank with expertise in Russia matters.<sup>4532</sup> Kushner did not ask about Kuznetsov’s identity, but rather about the identity of the Russian Ambassador to the United States.<sup>4533</sup> In a written statement, Kushner said that he “thought the best way [to verify Kuznetsov’s email] would be to ask the only contact I recalled meeting from the Russian government, which was the Ambassador,” whose name he did not remember at the time.<sup>4534</sup> Simes responded approximately 15 minutes later with the name of the Russian Ambassador, Sergey Kislyak, saying, “Congratulations with a historic victory! This may become a real 21 century American revolution.”<sup>4535</sup> Kushner forwarded Simes’s response to Hicks.<sup>4536</sup>

(U) According to Hicks, Kushner was not able to confirm Kuznetsov’s affiliation with the Russian Embassy.<sup>4537</sup> As a result, Hicks was unable to confirm Kuznetsov’s identity before giving Trump the congratulatory letter from Putin.

(U) Hicks recalled Trump stating, in reaction to the letter, “Hmm; that’s nice.”<sup>4538</sup> She likened it to his reaction to congratulatory communications from other world leaders, saying, “[t]here wasn’t anything that stands out about his reaction to this letter versus the others he was getting.”<sup>4539</sup> Trump then asked Hicks to coordinate a telephone call with Putin.<sup>4540</sup>

(U) Hicks recalled emailing with the Russian Embassy to schedule the requested phone call between Trump and Putin, and sharing those “administrative emails” with Transition Team

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<sup>4530</sup> (U) Written Responses, Hicks, June 29, 2017.

<sup>4531</sup> (U) Email, Kushner to Simes, November 9, 2016 (NSSCI00000032). Events related to Trump’s April 2015 speech at the Mayflower Hotel are discussed *infra* Vol. 5, Sec. III.G.

<sup>4532</sup> (U) Simes Tr., pp. 6–11.

<sup>4533</sup> (U) Email, Kushner to Simes, November 9, 2016 (NSSCI00000032).

<sup>4534</sup> (U) Statement of Jared Kushner to Congressional Committees, July 24, 2017.

<sup>4535</sup> (U) Email, Simes to Kushner, November 9, 2016 (NSSCI00000037). In his interview with the Committee, Simes claimed that the discussion about Russia’s Ambassador was only conducted between his assistant and Kushner’s assistant. Simes Tr., pp. 6–11. However, the emails were sent directly between Simes and Kushner.

<sup>4536</sup> (U) Email, Simes to Kushner, November 9, 2016 (NSSCI00000033).

<sup>4537</sup> (U) Written Responses, Hicks, June 29, 2017.

<sup>4538</sup> (U) Hicks Tr., p. 73.

<sup>4539</sup> (U) *Ibid.*, p. 74.

<sup>4540</sup> (U) *Ibid.*

[REDACTED]

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officials “who were logging foreign correspondence.”<sup>4541</sup> According to her recollection, this included Lieutenant General Michael Flynn and Megan Badasch.<sup>4542</sup>

(U) Trump and Putin spoke five days later, on November 14, 2016.<sup>4543</sup> Hicks reported that she was present when the call took place, but could hear only what Trump was saying; she did not know what Putin was saying.<sup>4544</sup> Hicks said she “assumed” that Trump was making calls like this using a secure line that had been installed following the election, but did not know if he in fact used a secure line in this instance.<sup>4545</sup> She was not present for the pre-brief and did not recall the topics that were discussed during the call, although she took notes of the call for a read-out and subsequent press release.<sup>4546</sup> She recalled that Flynn, Badasch, and Sean Lawlor were also in the room for the call.<sup>4547</sup>

[REDACTED]

[REDACTED] extend congratulations to Trump for his  
succes [REDACTED]  
[REDACTED] encouraged future cooperation on Syria and  
Ukraine.<sup>4549</sup>

<sup>4541</sup> (U) Written Responses, Hicks, June 29, 2017.

<sup>4542</sup> (U) *Ibid.* Megan Badasch would eventually become the Deputy Executive Secretary for the National Security Council, working for both Flynn and General H. R. McMaster. See Patrick Radden Keefe, “McMaster and Commander,” *The New Yorker*, April 28, 2018.

<sup>4543</sup> (U) According to a statement issued by the Trump Transition Team, the two discussed “a range of issues including the threats and challenges facing the United States and Russia, strategic economic issues and the historical U.S.-Russia relationship that dates back over 200 years.” Elise Viebeck et al., “Trump, Putin agree in phone call to improve ‘unsatisfactory’ relations between their countries, Kremlin says,” *The Washington Post*, November 14, 2016. The Kremlin issued a lengthier statement describing the call, which it said included “issues related to solving the crisis in Syria.” See President of Russia, “Telephone conversation with US President-elect Donald Trump,” kremlin.ru, November 14, 2016.

<sup>4544</sup> (U) Hicks Tr., p. 74.

<sup>4545</sup> (U) *Ibid.*, pp. 76–77.

<sup>4546</sup> (U) *Ibid.*, pp. 78–79.

<sup>4547</sup> (U) *Ibid.*, pp. 74–76.

<sup>4548</sup> [REDACTED]

<sup>4549</sup> (U) *Ibid.*

[REDACTED]

On Syria

[REDACTED]

Regarding Ukraine

[REDACTED]

ii. (U) Kushner’s November 30, 2016, Meeting with Ambassador Kislyak.

(U) On November 16, 2016, Ambassador Kislyak contacted Kushner’s office seeking to set up a meeting with Kushner on December 1.<sup>4553</sup> Kushner directed his assistant, Catherine Vargas, to check with Dimitri Simes to “confirm . . . that this is the right guy.”<sup>4554</sup> Vargas then spoke with CNI’s Executive Director, Paul Saunders, who confirmed that Kislyak is the “best go-to guy for routine matters in the US. However, for more direct/substantial [sic] matters, Yuri Ushakov is Putin’s top Foreign Policy advisor.”<sup>4555</sup>

(U) On November 22, 2016, Kuznetsov emailed Hicks to request a separate meeting for Kislyak with Flynn in early December.<sup>4556</sup> Kuznetsov reiterated his request by email to Hicks on

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<sup>4550</sup> (U) *Ibid.*

<sup>4551</sup> (U) *Ibid.*

<sup>4552</sup> (U) *Ibid.*

<sup>4553</sup>

<sup>4554</sup> (U) Email, Kushner to Vargas, November 16, 2016 (NSSCI00000038).

<sup>4555</sup> (U) Email, Vargas to Kushner, November 16, 2016 (NSSCI00000038).

<sup>4556</sup> (U) Email, Kuznetsov to Hicks, November 22, 2016 (Hicks Production).



[REDACTED]

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(U) Kushner and Flynn met Kislyak at Trump Tower at 3:30 p.m. on November 30.<sup>4565</sup> According to Kushner, the meeting lasted 20-to-30 minutes.<sup>4566</sup> During the conversation, Kushner proposed using secure communications from inside the Russian Embassy for a call between the Transition and Russian military officials about Syria:

*The Russian military . . . had a perspective on Syria that they wanted to share with us, and so he [Kislyak] wanted to know how to transmit that information. He basically said: Look, I could have them come in, but it seems like that wouldn't be convenient for them; may we set up a call? Do you have a secure line? We said we didn't have a secure line in the transition that we knew of. So I said: Well, why don't we use your secure line at your embassy? They said: Let's not do that. . . . [T]hey wanted to convey information to General Flynn. It was their information. How they conveyed that information was up to them. So I assumed that there was a secure way that people communicated and he wanted to have that information communicated in that way.<sup>4567</sup>*

(U) The Committee asked Kushner whether he had ever taken electronic surveillance precautions during meetings with Russian officials, such as asking participants to leave their phones outside the room.<sup>4568</sup> He did not recall having done so in his meeting with Kislyak, but said that at some point he became aware of technological vulnerabilities, and that “once I did, I obviously started taking different precautions in meetings. But I don't recall at what point that existed.”<sup>4569</sup>

[REDACTED]

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<sup>4565</sup> (U) Based on communications between the attendees, the Committee determined that the meeting took place on November 30, although Kushner indicated to the Committee that it occurred on December 1, the date for which the meeting was originally planned. Text Message, Kushner to Bannon, November 30, 2016 (NSSCI00000145) (“Just left to meet ambassador”); see Written Statement, Kushner, July 24, 2017. However, last minute travel by Kushner forced them to hold the meeting two days early. Emails, Berkowitz, Vargas, and Kuznetsov, November 29–30, 2016 (AB-SSCI-0000016–18). According to Kushner, Steve Bannon was also invited to the meeting, but did not end up attending. Kushner Tr., pp. 67, 71; see also Calendar invitation, Kushner, Bannon, Flynn, and Nasim, November 30, 2016 (NSSCI00000088). Avi Berkowitz indicated to the Committee that he was responsible for escorting Kislyak into Trump Tower for the meeting on November 30. Written Responses, Berkowitz, July 5, 2017.

<sup>4566</sup> (U) Written Statement, Kushner, July 24, 2017.

<sup>4567</sup> (U) Kushner Tr., pp. 63–65.

<sup>4568</sup> (U) Kushner Tr. II, pp. 136–137.

<sup>4569</sup> (U) *Ibid.*

(U) During their meeting, Kushner asked Kislyak to provide him with a point of contact who had a direct line to Putin. Kushner told the Committee:

*What I realized very quickly from that was that in order to be successful in a lot of these things is that you don't want to let a lot of these disagreements or problems or opportunities get caught up in the morass of diplomatic protocol with diplomat who knows nothing talking to diplomat who knows nothing, basically having lunch.*

*So what I found actually to be very successful so far is that by having the ability to have somebody who can get you quick answers on things and who can give you insight into what the leader of a different country is thinking, and obviously being able to do that on a confidential basis without fear of that getting out into the press, it's been very—I found it to be very productive.<sup>4571</sup>*

(U) According to Hope Hicks:

*Jared came away from the meeting with the feeling that Ambassador Kislyak wasn't an influential player and somebody that was going to be directly involved in any future relationship with official representatives. He kind of felt like it was a waste of time. So when he followed up asking for a second meeting, it was like: I'm not doing that. But he sent Avi, because Kislyak said he had a message for Jared. So Avi went. The message was that he would like him to meet with this Russian banker.<sup>4572</sup>*

[REDACTED]

**iii. (U) Kislyak Seeks a Follow-Up Meeting and Recommends Kushner Meet with Gorkov for a "Direct Line" to Putin**

4570 [REDACTED]

4571 (U) Kushner Tr., pp. 74–75.

4572 (U) Hicks Tr., pp. 88–89.

4573 [REDACTED]

[REDACTED]

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(U) On December 6, 2016, Ambassador Kislyak’s office reached out to Kushner through Kushner’s assistant, Vargas, asking for a second meeting in New York the following day, December 7.<sup>4574</sup> Kushner told Vargas that Avi Berkowitz, another of Kushner’s assistants, would follow up with Kuznetsov on the meeting.<sup>4575</sup>

(U) On December 10, Berkowitz had a brief call with an individual from the Russian Embassy to discuss the meeting request.<sup>4576</sup> Berkowitz described the Embassy as being “persistent” in requesting that Kushner meet with Kislyak “to receive a message,” but Berkowitz repeatedly demurred.<sup>4577</sup> According to Berkowitz, the Embassy was “hesitant at first, but ultimately willing” to meet with him instead of Kushner.<sup>4578</sup> On December 11, 2016, Berkowitz received a WhatsApp message letting him know that Kislyak’s Chief of Staff, identified only by the first name Dmitry, would be contacting him to set up a time for a meeting with Kislyak in New York.<sup>4579</sup> After Dmitry messaged him, Berkowitz responded that Kushner would not be available to meet, but that he (Berkowitz) would be.<sup>4580</sup> The two eventually agreed to meet the next day at Trump Tower.<sup>4581</sup>

(U) At around 11:30 a.m., Berkowitz met Kislyak and Kislyak’s aide on 56<sup>th</sup> Street and escorted them into Trump Tower, where he had secured a conference room on the 15<sup>th</sup> or 16<sup>th</sup> floor.<sup>4582</sup> According to Berkowitz, the meeting lasted only a minute or two.<sup>4583</sup> Kislyak only wanted to provide the name of another Russian official with direct access to Putin, as Kushner had requested during their first meeting:

*[T]he message was something to the effect of that he would like or someone would like for Jared to meet with a Sergei Gorkov, who has a direct line to President Putin or Putin, something of that variety.*

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<sup>4574</sup> (U) Email, Vargas to Kushner, December 6, 2016 (AB-SSCI-0000053).

<sup>4575</sup> (U) Email, Kushner to Vargas and Berkowitz, December 6, 2016 (AB-SSCI-0000054).

<sup>4576</sup> (U) Written Responses, Berkowitz, July 5, 2017.

<sup>4577</sup> (U) SSCI Transcript of the Interview with Avrahm Berkowitz, February 21, 2018, pp. 109–113.

<sup>4578</sup> (U) *Ibid.*, p. 114.

<sup>4579</sup> (U) Text Messages, “Dmitry” and Berkowitz, December 11, 2016 (AB-SSCI-0000001).

<sup>4580</sup> (U) Text Messages, “Dmitry” and Berkowitz, December 11, 2016 (AB-SSCI-0000002).

<sup>4581</sup> (U) Text Messages, “Dmitry” and Berkowitz, December 11, 2016 (AB-SSCI-0000002–3).

<sup>4582</sup> (U) Berkowitz Tr., pp. 120–125. At 7:19 a.m. that morning, “Dmitry” texted Berkowitz that Kislyak had an “urgent unexpected circumstance” and needed to move the meeting to 11:30 a.m. Text Messages, “Dmitry” and Berkowitz, December 12, 2016 (AB-SSCI-0000004).

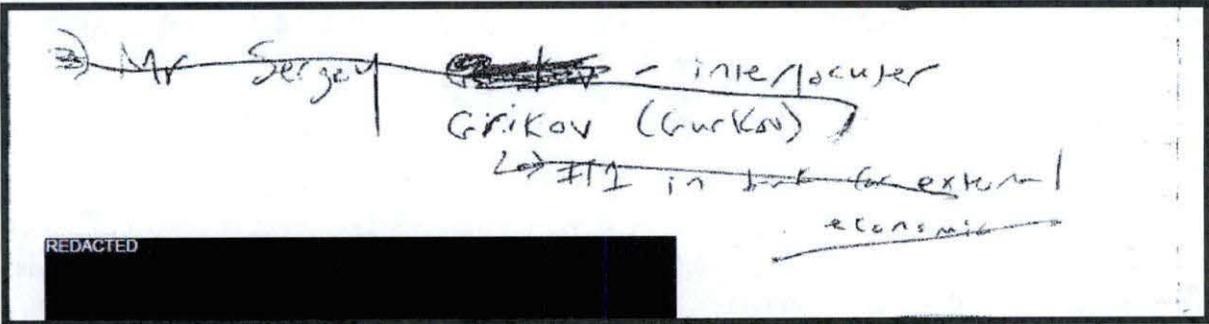
<sup>4583</sup> (U) Berkowitz Tr., pp. 124.

[REDACTED]

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*Then I actually asked the ambassador: Is that it? Because I was confused that a meeting would be necessary for that message. He sort of sheepishly responded: Yes, it was. I walked him and his aide out, and that was that meeting.*<sup>4584</sup>

(U) Berkowitz said he had not previously heard of Gorkov, and his notes from this time period identify Gorkov's position as "#1 in bank for external economic."<sup>4585</sup>



[REDACTED] Since 2016, Sergey Gorkov has been the Chairman of Vnesheconombank (VEB), a Russian state-owned bank that was sanctioned on July 16, 2014, in response to Russia's destabilization of Ukraine and annexation of Crimea.<sup>4586</sup> Gorkov was appointed to his position at VEB by Putin.<sup>4587</sup> According to press reports, Gorkov is a graduate of the FSB Academy in Moscow, which is chartered to train Russian intelligence officers to serve in Russia's Federal

<sup>4584</sup> (U) *Ibid.*, pp. 124–125. Berkowitz said he could not recall the Russian side using Gorkov's name other than during his in-person meeting with Kislyak. *Ibid.*, pp. 133–134. Berkowitz's WhatsApp communications with a Russian Embassy employee setting up the time for the Gorkov meeting and the communications with Gorkov's aide after the meeting similarly did not make any direct reference to Gorkov or VEB.

<sup>4585</sup> (U) *Ibid.*, pp. 125–127, 130–131; see Handwritten notes, Berkowitz (AB-SSCI-000028). Berkowitz told the Committee that he did not specifically recall making the note, and said that it was possible he made it during the meeting or that he may have made it after conducting an internet search to learn more about Gorkov. Berkowitz Tr., pp. 125–127.

<sup>4586</sup> (U) Treasury, "Announcement of Treasury Sanctions on Entities Within the Financial Services and Energy Sectors of Russia, Against Arms or Related Materiel Entities, and those Undermining Ukraine's Sovereignty," July 16, 2014. VEB has in the past been used as a non-official cover platform for the Russian Foreign Intelligence Service, SVR. See U.S. Attorney's Office, Southern District of New York, "Evgeny Buryakov Pleads Guilty In Manhattan Federal Court In Connection With Conspiracy To Work For Russian Intelligence," March 11, 2016.

<sup>4587</sup> (U) Treasury, "Announcement of Treasury Sanctions on Entities Within the Financial Services and Energy Sectors of Russia, Against Arms or Related Materiel Entities, and those Undermining Ukraine's Sovereignty," July 16, 2014.

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Security Service (FSB).<sup>4588</sup> [REDACTED]

(U) On December 8, 2016, American businessman Robert Foresman<sup>4590</sup> learned from VEB Deputy Chairman, Nikolai Tsekhomsky, that Gorkov was traveling to the United States in order to “meet with Wall Street . . . in the aftermath of the election to talk about investment climate in Russia and what the new U.S. political dynamic could mean for U.S./Russia business dialog and for outlook for relations with Russia.”<sup>4591</sup> Foresman was told: “Putin is aware of this trip, and Sergey [Gorkov] will be briefing him after the trip,” and he understood from Tsekhomsky that Gorkov had access to Putin and “may be a very relevant player for this U.S./Russia business dialog going forward.”<sup>4592</sup>

(U) Immediately before Gorkov and Tsekhomsky departed for the United States, Foresman met with them in Moscow.<sup>4593</sup> During the meeting, Foresman and Gorkov discussed whether the incoming Trump administration really represented a “new era” in bilateral relations between the United States and Russia, although Foresman said that he did not recall any discussions of sanctions.<sup>4594</sup>

**iv. (U) Kushner Meets with Gorkov**

(U) Berkowitz told Kushner about the potential Gorkov meeting, and Kushner agreed to take it.<sup>4595</sup> Berkowitz then coordinated logistics with the Russian Embassy, and they settled on December 13 at 4:00 p.m. at Colony Capital.<sup>4596</sup>

(U) Although Kushner had specifically asked for an interlocutor with direct access to Putin, Kushner said that he only took the meeting in response to Ambassador Kislyak’s continued efforts to set up another meeting, crediting a desire to avoid being “rude to the Russian ambassador and inadvertently insult Russia.” Kushner explained that he saw less urgency for

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<sup>4588</sup> (U) Tom Winter and Robert Windrem, “Kushner Met With Russian Banker Who Is Putin Crony, Spy School Grad,” *NBC News*, May 27, 2017.

<sup>4589</sup> [REDACTED]

<sup>4590</sup> (U) Robert Foresman is an American investment bank executive with longstanding ties to Russia and well-connected Russian individuals. *See infra* Vol. 5, Sec. III.K.4.

<sup>4591</sup> (U) Foresman Tr., pp. 117–121.

<sup>4592</sup> (U) Foresman Tr., pp. 117–121.

<sup>4593</sup> (U) Foresman Tr., pp. 123–131.

<sup>4594</sup> (U) *Ibid.* The discussions between Foresman and Gorkov are described *infra* Vol. 5, Sec. III.K.4.v.

<sup>4595</sup> (U) Emails, Berkowitz and Kushner, et al., December 12, 2016 (NSSCI00000107–108).

<sup>4596</sup> (U) Calendar invitation, Kushner and Berkowitz, December 13, 2016 (NSSCI00000111) (“Meeting: Sergey Gorkov”); Text messages, “Dmitry” and Berkowitz, December 12–13, 2016 (AB-SSCI0000005–AB-SSCI0000010). Colony Capital is an investment firm run by Thomas Barrack.

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himself to meet with Russian officials because Rex Tillerson was “coming on board, [and] had a better relationship with Russia than I’ll ever have.”<sup>4597</sup>

(U) According to Kushner, Gorkov began the meeting by presenting him with two gifts: a bag of soil from Kushner’s grandparents’ hometown of Novogrudok, Belarus, and a painting made by children in the same town.<sup>4598</sup> Kushner recalled:

*Then he basically said: Look, we’re excited about the new relationship. I know President Putin is very frustrated with how his relationship with America has been. I’m friends with him. I think that for Russia and America there’s a lot of opportunity. I run this big bank. This is what I do.*

*He told me a lot about his bank, about the global economy. I gave my same spiel, basically saying: Look, right now I think there’s a lot of opportunity in the world, things could be different under President Trump, again he wants peace, he wants more trade, all these different things. You know, basic get-to-know-you meeting, but not—very superficial, probably lasted 20, 25 minutes.*

*In that meeting we did not talk about my business. We didn’t talk about any financial transactions. It was just kind of an overall meeting. So again, never followed up again after that, not very eventful.*<sup>4599</sup>

(U) Kushner said he was uncertain of Gorkov’s intentions at the meeting:

*He just said to me that Putin was a friend of his. So he didn’t directly—he was not very—he wasn’t very explicit in that. Look, it may have been that that’s what he was there to do. It may not have been. Maybe he’s been a friend of the ambassador who he wanted to get a meeting with me, for all I know, so to just get a favor. I have no idea.*<sup>4600</sup>

(U) Kushner also told the Committee that he did not know about VEB’s sanctions prior to the meeting, nor did the issue of sanctions come up during the meeting.<sup>4601</sup> When asked whether he had asked anybody to do research on Gorkov’s background, Kushner responded that

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<sup>4597</sup> (U) Kushner Tr., p. 87.

<sup>4598</sup> (U) *Ibid.*, p. 82. The Committee notes that, given the eight hour time difference between Moscow and New York, Gorkov would have had less than a day to acquire the gifts for Kushner before departing for the United States. Berkowitz said he logged the gifts with the Transition. Berkowitz Tr., p. 155.

<sup>4599</sup> (U) Kushner Tr., pp. 82–83.

<sup>4600</sup> (U) *Ibid.*, pp. 84–85.

<sup>4601</sup> (U) *Ibid.*, p. 85.

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he did not.<sup>4602</sup> However, Kushner’s aide, Berkowitz, told the Committee that he did, in fact, conduct an internet search on Gorkov’s background “when Jared asked me . . . who the person was.”<sup>4603</sup> Berkowitz said that his search showed that Gorkov was a banker, but he did not recall discovering that Gorkov faced sanctions by the United States.<sup>4604</sup> Berkowitz also said that Kushner did not ask for any preparation materials before the meeting with Gorkov.<sup>4605</sup>

(U) Kushner described his meeting with Gorkov as primarily about future diplomatic relations between the United States and Russia.<sup>4606</sup> However, VEB released a statement to the press indicating that the meeting was business-related:

*During 2016, when preparing the new Vnesheconombank’s strategy, the Bank’s CEOs repeatedly met with representatives of the world’s leading financial institutions in Europe, Asia and America. In the course of negotiations the parties discussed the business practices applied by foreign development banks, as well as most promising business lines and sectors. The roadshow meetings devoted to Vnesheconombank’s Strategy 2021 were held with representatives of major US banks and business circles, including the CEO of Kushner Companies Mr. Jared Kushner.*<sup>4607</sup>

[REDACTED]

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<sup>4602</sup> (U) *Ibid.*, p. 81.

<sup>4603</sup> (U) Berkowitz Tr., p. 150.

<sup>4604</sup> (U) *Ibid.*, pp. 150–151.

<sup>4605</sup> (U) *Ibid.*, p. 150.

<sup>4606</sup> (U) Kushner Tr., pp. 82–83.

<sup>4607</sup> (U) Thomas Frank and Marshall Cohen, “Russian banker who met with Jared Kushner has ties to Putin,” *CNN*, March 29, 2017; David Filipov, et al., “Explanations for Kushner’s meeting with head of Kremlin-linked bank don’t match up,” *The Washington Post*, June 1, 2017; Patrick Reevell and Matthew Mosk, “Russian banker Sergey Gorkov brushes off questions about meeting with Jared Kushner,” *ABC News*, June 1, 2017.

<sup>4608</sup> [REDACTED]

[REDACTED]

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[REDACTED] Immediately following the meeting between Kushner and Gorkov, Berkowitz received a text from an aide to Gorkov, [REDACTED], saying that Gorkov felt the meeting went well and that “[w]e will be in touch.”<sup>4609</sup> Berkowitz replied saying “Same report here! Looking forward.”<sup>4610</sup> Berkowitz, however, told the Committee he never discussed how the meeting went with Kushner, and he was merely attempting to be polite.<sup>4611</sup>

(U) As noted above, Foresman believed that Gorkov would be briefing Putin after the meeting. According to open source information, on December 14, 2016, the private aircraft which brought Gorkov to the United States traveled to Japan.<sup>4612</sup> On December 15 to December 16, Putin visited Japan, and reports indicated that Gorkov would join Putin there.<sup>4613</sup>

[REDACTED]

[REDACTED]

[REDACTED]

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<sup>4609</sup> [REDACTED] Text messages, [REDACTED] and Berkowitz, December 13, 2016 (AB-SSCI-0000011); [REDACTED]

<sup>4610</sup> (U) *Ibid.*

<sup>4611</sup> (U) Berkowitz Tr., pp. 159–161.

<sup>4612</sup> (U) David Filipov, *et al.*, “Explanations for Kushner’s meeting with head of Kremlin-linked bank don’t match up,” *The Washington Post*, June 1, 2017.

<sup>4613</sup> (U) *Ibid.*

<sup>4614</sup> [REDACTED]

(U) On the morning of December 19, 2016, Gorkov's aide texted Berkowitz asking him to "[p]lease inform your side that the information about the meeting got a very positive response!"<sup>4616</sup> Berkowitz replied that he would do so, and Gorkov's aide told Berkowitz to "[l]et him know."<sup>4617</sup> Later that day, approximately ten hours later, Berkowitz responded that "I told him and he said: great! So thank you!"<sup>4618</sup> Berkowitz told the Committee that he had no recollection of speaking with Kushner related to this message.<sup>4619</sup>

(U) The next day, Gorkov's aide messaged Berkowitz that "we plan on our next visit in early Feb."<sup>4620</sup> Berkowitz responded, "[S]ee you then."<sup>4621</sup> Berkowitz and the aide intermittently exchanged short holiday greetings and a congratulatory note related to inauguration.<sup>4622</sup> The aide later asked Berkowitz if he could "arrange the meeting next week," but Berkowitz did not respond.<sup>4623</sup>

### 3. (U) Kirill Dmitriev Pursues Inroads to the Transition Team

(U) In addition to outreach through its officials, the Russian government also leveraged business leaders with Western ties to advance its foreign policy goals with the incoming administration.

(U) Some taskings for this activity came directly from Putin through quarterly meetings he held with a group of approximately 50 Russian oligarchs. According to Petr Aven, Chairman of the Board of Directors of Alfa Bank, during these meetings, oligarchs would receive

<sup>4615</sup>

<sup>4616</sup> (U) Text message, Ivanchenko to Berkowitz, December 19, 2016 (AB-SSCI-0000011)

<sup>4617</sup> (U) Text messages, Ivanchenko and Berkowitz, December 19, 2016 (AB-SSCI-0000012)

<sup>4618</sup> (U) Text messages, Berkowitz to Ivanchenko, December 19, 2016 (AB-SSCI-0000012)

<sup>4619</sup> (U) Berkowitz Tr., p. 160. Kushner told the Committee that there "was no follow-up after that meeting." Kushner Tr. II, p. 129.

<sup>4620</sup> (U) Text message, Ivanchenko to Berkowitz, December 20, 2016 (AB-SSCI-0000012).

<sup>4621</sup> (U) Text message, Berkowitz to Ivanchenko, December 20, 2016 (AB-SSCI-0000012).

<sup>4622</sup> (U) Text messages, Ivanchenko and Berkowitz, December 25, 2016–January 21, 2017 (AB-SSCI-0000013–14).

<sup>4623</sup> (U) Text messages, Ivanchenko to Berkowitz, February 8–16, 2017 (AB-SSCI-0000015).

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“suggestions or critiques” from Putin.<sup>4624</sup> Participants would treat such “suggestions” as directives from Putin, even if they were not explicitly stated as such, with the understanding that “there would be consequences . . . if [the oligarchs] did not follow through.”<sup>4625</sup> At the fourth quarter 2016 meeting, Putin suggested to Aven that he believed the United States would seek to impose new sanctions on Aven or Alfa Bank.<sup>4626</sup> Putin “suggested” that Aven and Alfa Bank take steps to protect themselves, and noted the difficulty in making contacts within the incoming Trump administration.<sup>4627</sup> Aven said that Putin “expected him to try to respond to the concerns [Putin] had raised.”<sup>4628</sup>

(U) Kirill Dmitriev, the CEO of the U.S.-sanctioned Russian Direct Investment Fund (RDIF), Russia’s state-owned sovereign wealth fund, engaged in similar outreach to the Trump Transition.<sup>4629</sup> Like Aven, Dmitriev used multiple business contacts to try and make inroads with Trump Transition Team officials, described more fully below, based on his own direct tasking from Putin.

(U) The Committee notes that Dmitriev has direct access to Putin and frequently refers to Putin as his “boss.”<sup>4630</sup>

[REDACTED]

[REDACTED]

[REDACTED]

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<sup>4624</sup> (U) *SCO Report*, Vol. I, p. 146. The Committee did not interview Aven, but his efforts to engage the Transition Team are described in the *SCO Report*.

<sup>4625</sup> (U) *Ibid.*

<sup>4626</sup> (U) *Ibid.*

<sup>4627</sup> (U) *Ibid.*, Vol. I, pp. 146-147.

<sup>4628</sup> (U) *Ibid.*, Vol. I, p. 147.

<sup>4629</sup> (U) *Ibid.*, Vol. I, p. 147.

<sup>4630</sup> (U) *Ibid.*, Vol. I, p. 147.

<sup>4631</sup> [REDACTED]

<sup>4632</sup> (U) *Ibid.*

i. (U) Dmitriev Seeks Assistance from Nader to Contact Trump Transition

(U) The morning following the election, Kirill Dmitriev made the first of multiple attempts to reach out to members of Trump’s inner circle.<sup>4635</sup> On November 9, 2016, Dmitriev sent a text to George Nader, a senior advisor to UAE Crown Prince Mohammed bin Zayed Al Nahyan, requesting a meeting with the “key people” in the incoming administration as soon as possible.<sup>4636</sup> RDIF, under Dmitriev’s leadership, had co-invested in multiple projects with UAE sovereign wealth funds, which put Dmitriev in frequent contact with Nader.<sup>4637</sup>

- [REDACTED]

[REDACTED]

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<sup>4635</sup> (U) *SCO Report*, Vol. I, p. 149.

<sup>4636</sup> (U) *Ibid.*, Vol. I, p. 150.

<sup>4637</sup> (U) *Ibid.*, Vol. I, pp. 147–148.

[REDACTED]

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[REDACTED]

(U) Nader had spent much of 2016 attempting to nurture contacts with both presidential campaigns, and keeping Dmitriev informed of his progress.<sup>4640</sup> For example, Nader participated in a meeting in August 2016 attended by Donald Trump Jr., Stephen Miller, Erik Prince, and Joel Zamel in which Nader discussed foreign policy matters and a potential social media campaign.<sup>4641</sup> Dmitriev and Nader discussed the possibility of Nader assisting Dmitriev in making contact with incoming Trump administration officials. Dmitriev asked Nader to help convey the message to incoming officials that, “we [Russia] want to start rebuilding the relationship in whatever is a comfortable pace for them. We understand all of the sensitivities and are not in a rush.”<sup>4642</sup> Nader was told that Dmitriev and the Russian government had preferred that Trump win the presidency.<sup>4643</sup>

(U) Dmitriev then flew to New York that day to attend the World Chess Championship, which was being attended separately by Putin spokesperson Dmitry Peskov.<sup>4644</sup> In an effort to meet with Trump Transition officials, Dmitriev invited Nader to the tournament, specifically requesting that Nader invite Jared Kushner to the event so that Dmitriev could meet him.<sup>4645</sup> Dmitriev was eager for “a chance to see anyone from the Trump camp” in order to “start building for the future.”<sup>4646</sup> Nader said that he did not pass along the invitation to Kushner.<sup>4647</sup> According to Nader, Dmitriev continued to raise with Nader the prospect of meeting Transition officials or others close to Trump, focusing particularly on Kushner and Donald Trump Jr.<sup>4648</sup>

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<sup>4639</sup> (U) *Ibid.*

<sup>4640</sup> (U) *SCO Report*, Vol. I, p. 148. As noted above, George Nader, who was interviewed as part of the SCO’s investigation, later pleaded guilty to transportation of a minor boy for purposes of illegal conduct and possession of child pornography. U.S. Attorney’s Office, Eastern District of Virginia, “Man Pleads Guilty to Child Exploitation Crimes,” January 13, 2020. Nader has also been charged with campaign finance crimes. See DOJ, “California CEO and Seven Others Charged in Multi-Billion Dollar Conduit Campaign Contribution Case,” December 3, 2019.

<sup>4641</sup> (U) See *infra* Vol. 5, Sec. III.J.3.

<sup>4642</sup> (U) *SCO Report*, Vol. I, p. 150. Dmitriev also conveyed to Nader a willingness to conduct press interviews in which Dmitriev planned to convey optimism about the possibility of improved U.S.-Russia relations following Trump’s election. *Ibid.*

<sup>4643</sup> (U) *Ibid.*, Vol. I, p. 148.

<sup>4644</sup> (U) *Ibid.*, Vol. 1, p. 150. According to the *SCO Report*, Dmitriev exchanged text messages with Russian businessman Andrey Guryev Jr., prior to leaving for the Championships. In their messages, Guryev wrote, “Go ahead, come to us for the chess. Trump received the invitation. There will be a total ‘sold-out’ [of the tournament if Trump attends] and uproar if he wins.” Dmitriev responded, “My Arab friends are in close contact with him, I will ask.” After Trump claimed victory, Guryev, Jr. messaged Dmitriev, “Well, it seems like this is it.” Approximately one minute later, Guryev, Jr. wrote to Dmitriev, “Putin has won.” *Ibid.*, Vol. I, p. 149.

<sup>4645</sup> (U) Vol. 1, p. 150.

<sup>4646</sup> (U) *Ibid.*

<sup>4647</sup> (U) *Ibid.*

<sup>4648</sup> (U) *Ibid.*

[REDACTED]

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Nader said that Dmitriev informed him that he (Dmitriev) would also pursue other channels to reach Trump Transition Team officials.<sup>4649</sup>

**ii. (U) Outreach through Rick Gerson**

(U) Dmitriev subsequently tried other avenues to reach members of Trump’s inner circle. In late November, UAE national security advisor Tahnoon bin Zayed connected Dmitriev to Rick Gerson, a New York hedge fund manager.<sup>4650</sup> Although Gerson and Dmitriev had never met, Gerson had a relationship with Muhammad bin Zayed and was a personal friend of Jared Kushner.<sup>4651</sup> Gerson told the Committee that Tahnoon bin Zayed made the introduction in order to make a business connection between the two men.<sup>4652</sup>

(U) Dmitriev called Gerson on December 1, 2016, and they talked for approximately 20 minutes.<sup>4653</sup> They also communicated via the private messaging application WhatsApp.<sup>4654</sup>

(U) According to Gerson, during the call they discussed several topics, including investments each had made in ride-sharing companies, and Gerson raised his interest in a ride-sharing company in India called OLA.<sup>4655</sup> That same day, Gerson sent Dmitriev a non-disclosure agreement related to a proposed OLA investment, followed the next day by an email that included an OLA investment summary that had been customized for RDIF.<sup>4656</sup> Although Dmitriev and RDIF sought to persuade Gerson that sanctions did not present an obstacle to doing business with RDIF, lawyers eventually advised Falcon Edge Capital against the deal because of U.S.-sanctioned VEB’s relationship to RDIF.<sup>4657</sup>

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<sup>4649</sup> (U) *Ibid.*, Vol. I, p. 151.

<sup>4650</sup> (U) SSCI Transcript of the Interview with Rick Gerson, October 19, 2018, pp. 8, 14–15.

<sup>4651</sup> (U) *Ibid.*, pp. 8, 33.

<sup>4652</sup> (U) *Ibid.*, p. 16.

<sup>4653</sup> (U) WhatsApp Audio metadata, Dmitriev to Gerson, December 1, 2016 (GERSON\_00000125). Gerson told the Committee and the FBI that he and Dmitriev had never met in person. Gerson Tr., p. 124. Although the *SCO Report* describes a conversation when the two men “met,” *SCO Report*, Vol. I, p. 157, the Committee surmises that this is a reference to when they first spoke, and not necessarily an in-person meeting.

<sup>4654</sup> (U) [REDACTED] Gerson told the Committee that he “routinely” deleted his WhatsApp communications and could not produce them. Gerson Tr., p. 64.

<sup>4655</sup> (U) Gerson Tr., pp. 11–12.

<sup>4656</sup> (U) Email, Gerson to Dmitriev, December 1, 2016 (GERSON\_00000373–418) (attaching NDA). The same day, Dmitriev returned the NDA with edits that included removing all references to the “Russian Direct Investment Fund” and replacing them only with the acronym “RDIF.” Email, Dmitriev to Gerson, December 2, 2016 (GERSON\_00000419–433).

<sup>4657</sup> (U) Gerson Tr., pp. 13–14, 32; *see also* Email, RDIF Legal to Schmidt, December 8, 2016 (GERSON\_00000476) (discussing VEB, RDIF and sanctions); Email, RDIF General Counsel to Gerson, et al., January 6, 2016 (GERSON\_00000486) (same). Gerson said that if RDIF invested in OLA, other sovereign wealth funds would automatically invest as part of a consortium, including funds in Abu Dhabi (Mubadala) and other Gulf states. *See* Gerson Tr., pp. 30–31.

[REDACTED]

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[REDACTED] Despite Falcon Edge’s decision not to engage in a business relationship with RDIF, Dmitriev continued to [REDACTED] in order to gain influence with the Trump Administration. [REDACTED]

[REDACTED]

[REDACTED]

(U) Although the purpose of the December 1 call was ostensibly business, Gerson said that during the call, Dmitriev also discussed a desire to have “better relations with the U.S.”<sup>4660</sup> Dmitriev said that he was optimistic about the future of U.S.-Russia relations and made references to his “boss,” which Gerson understood to be a reference to President Putin.<sup>4661</sup> Dmitriev told Gerson that Putin had tasked him with developing a reconciliation plan for United States-Russia relations.<sup>4662</sup> As a result, Gerson understood that Dmitriev had “two roles”: “investments through the [RDIF] and being tasked” by Putin to “develop a reconciliation plan.”<sup>4663</sup>

4658 [REDACTED]

4659 (U) *Ibid.*

4660 (U) Gerson Tr., p. 20.

4661 (U) *Ibid.*

4662 [REDACTED]

4663 (U) *Ibid.*

[REDACTED]

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(U) Dmitriev also asked Gerson whom he should meet with in the incoming administration in order to advance this goal.<sup>4664</sup> Gerson committed to talking with members of the Transition Team, including Kushner and Flynn, to determine who the “key person or people” would be to discuss matters such as reconciliation with Russia, joint security concerns, and economic issues.<sup>4665</sup> Gerson also said that he informed Dmitriev that he was good friends with Kushner:

*He told me he was interested in coming to the U.S. and speaking to everyone that he could. It wasn't just Mr. Kushner, and, in fact, he told me had been regularly traveling to the U.S. before then. And he went—and that he wanted to start to meet the new people during the transition or after.*<sup>4666</sup>

(U) After their conversation, Dmitriev emailed Gerson a number of press articles in which Dmitriev made positive comments about the possibility of rapprochement between the two countries following Trump's election.<sup>4667</sup> According to records obtained by the SCO, Dmitriev informed Gerson that if Russia was “approached with respect and willingness to understand our position, we can have Major Breakthroughs quickly.”<sup>4668</sup>

(U) Although Gerson said that Dmitriev did not ask for advice, in subsequent messages, Gerson nevertheless offered his perspective on how to improve the relationship between the United States and Russia.<sup>4669</sup> Gerson recalled that he shared several ideas with Dmitriev. These included access to medical care for children in Syria, joint efforts to prevent nuclear terrorism, and Russian investment that would provide U.S. jobs in “hard hit” areas.<sup>4670</sup> According to Gerson, Dmitriev told him that the suggestions “actually made a lot of sense and he agreed,” adding that he (Dmitriev) “was going to give these ideas to his boss.”<sup>4671</sup>

(U) Both Gerson and Dmitriev understood that the plan would be provided to senior officials on both sides. Dmitriev “told Gerson that he was reporting directly to Putin and that the reconciliation plan would be reviewed by Putin.”<sup>4672</sup> Gerson also “represented to Dmitriev that he knew Jared Kushner, Michael Flynn and Steve Bannon.”<sup>4673</sup> Gerson further “told

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<sup>4664</sup> (U) *SCO Report*, Vol. I, p. 157.

<sup>4665</sup> (U) *Ibid.*

<sup>4666</sup> (U) Gerson Tr., p. 21–22.

<sup>4667</sup> (U) Email, Dmitriev to Gerson, December 1, 2016 (GERSON 00000380).

<sup>4668</sup> (U) *SCO Report*, Vol. I, p. 157; [REDACTED]

<sup>4669</sup> (U) Gerson Tr., p. 23–24.

<sup>4670</sup> (U) *Ibid.*

<sup>4671</sup> (U) *Ibid.*, pp. 24–25.

<sup>4672</sup> (U) [REDACTED]

<sup>4673</sup> (U) *Ibid.*

[REDACTED]

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Dmitriev that he would consult with Flynn and Bannon” on the plan and would “give it to the transition team,” and specifically Kushner.<sup>4674</sup>

(U) In later December, Gerson told a colleague, “I’m in constant touch with Kirill the head guy. He told me he’s under direct instruction from Putin to engage with U.S. firms.”<sup>4675</sup>

[REDACTED] In addition to their December 1 phone call, Gerson called Dmitriev on January 5, 2017, and they spoke for approximately 15 minutes.<sup>4677</sup>

(U) Gerson told the Committee that, at some point after their initial discussions in December, he took the collective ideas for U.S.-Russia reconciliation that he and Dmitriev discussed and put them in a list, which he sent to Dmitriev.<sup>4678</sup> According to Gerson, Dmitriev responded, having added an additional bullet to the list of ideas dealing with “something about Ukraine. Something following the Minsk Agreement on Ukraine. I didn’t know what the Minsk Agreement of Ukraine was.”<sup>4679</sup> The precise timing of these exchanges is somewhat unclear.

(U) On January 17, Dmitriev sent the plan to Gerson over WhatsApp<sup>4680</sup>:

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<sup>4674</sup> (U) *Ibid.*; Gerson Tr., pp. 131–132.

<sup>4675</sup> (U) Email, Gerson to Udwardia, December 29, 2016 ([REDACTED]) (“I want to make this work and do a lot with [RDIF] going forward.”).

<sup>4676</sup> [REDACTED]  
<sup>4677</sup> (U) WhatsApp Audio metadata, Dmitriev to Gerson, January 5, 2017 (GERSON\_00000124).

<sup>4678</sup> (U) Gerson Tr., pp. 131–132.

<sup>4679</sup> (U) *Ibid.*, pp. 132–134.

<sup>4680</sup> (U) January 17, 2017, text message from Dmitriev to Gerson. During his interview, Gerson said he no longer had a copy of the document. Gerson Tr., p. 133. This copy was produced by Gerson to the Committee after his interview, with permission from SCO, which had obtained it separately and provided it to Gerson’s counsel.

[REDACTED]

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Resending the 5 point plan with proper numbering of points :)  
Rick, here are some preliminary thoughts (including yours :) ) on US Russia cooperation per our earlier discussion - we believe that is is [sic] a win-win approach. I plan to be in the US January 27-30 to further discuss with you and the most senior relevant people from the US side:

1. Jointly fighting terrorism and significantly enhancing our coordination in that area.
  - setting up military coordination and joint actions in Syria
  - resuming work of intelligence agencies of info sharing on terrorism
  - a joint special forces mission where together US and Russia takes out a key ISIS person or place or frees an area then announces it after
  - a massive joint humanitarian effort in Syria. A joint project to fund and build hospitals and emergency medical centers in Syria in both rebel and govt areas or at least to jointly flood both areas with medical supplies and basic food. Especially medical and nutrition for children
  
2. A serious anti-WMD joint effort to reduce WMD by US and Russia and prevent WMD terrorism across nuclear, biological, and chemical weapons. Jointly going after and reducing the odds of nuclear terrorism security as the profound risk to the world. Rick is involved with the Nuclear Threat Initiative which Warren Buffett funds and is chaired by former Senator Sam Nunn who was chairman of the armed services committee. This group already has high level Russian involvement so it's an easy place to collaborate in a high profile way.  
...
  
3. Developing win win economic and investment initiatives that will be supported by both electorates.
  - a visit by top US businesses to Russia to highlight existing US successes in Russia and joint future opportunities;
  - joint RDIF fund with OPIC to support US investment in Russia to make US businesses competitive vs subsidized Chinese businesses in Russia
  - Russian company builds a plant with RDIF financing to serve the US market in the US Midwest creating real jobs for a hard hit area with high unemployment. US production by foreign companies a focus of the new administration
    - -highlighting benefits of US Russia business cooperation through media
  
4. Having an honest and open and continual dialogue on differences and concerns
  - resolving Ukraine crises through fulfillment of Minsk agreements and ensuring Ukraine fulfills its obligations
  - working group between the State Department and Russian Ministry of Foreign affairs to address key differences
  
5. Ensuring there is proper communication and trust among all of the key people from each side
  - a small group with 2-3 people from each side authorized to finalize an action plan for a major improvement in the US Russia relationship
    - coordination across major agencies and government bodies to achieve tangible impact in the next 9-12 months
  - well prepared meeting between the two leaders with several breakthroughs on key issues as per above.

[REDACTED]

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(U) In an email discussion about the reconciliation plan, Dmitriev told Gerson, “This is FYI so that you have the whole picture. The 2 pager is supported from our side and you are the only one who has it from your side—as one of the creators :)” Gerson replied “Excellent. I understand and am on it.”<sup>4681</sup> Asked if he thought Dmitriev had shared the list with anyone, Gerson said that Dmitriev referred to “his boss,” which Gerson assumed was a reference to Putin.<sup>4682</sup>

(U) After receiving the updated plan from Dmitriev, Gerson instructed an assistant to convert the five-point plan on “potential areas of cooperation between the US and Russia” into a formal document.<sup>4683</sup> Gerson also added an introductory text: “Below are potential win-win steps for achieving a breakthrough in the relationship between the U.S. and Russia through respectful communication and partnership in critically important shared goals.”<sup>4684</sup>

(U) Gerson said that he went to see Kushner at Kushner’s office in New York the next day, January 18, 2017, as Kushner was getting ready to leave for the inauguration.<sup>4685</sup> Gerson gave a copy of the document to Kushner, and told him briefly about Dmitriev’s background, including that Dmitriev had “connections,” but did not recall mentioning that it had been approved by Putin. According to Gerson, Kushner did not know who Dmitriev was and only glanced at the document after Gerson had handed it to him.<sup>4686</sup> Gerson said Kushner then put the document in a file that was on his desk and said that he would “give it to the right people.”<sup>4687</sup>

(U) On January 18, Gerson received two short calls from Dmitriev.<sup>4688</sup> The Committee was unable to determine whether these calls took place before or after Gerson delivered the document to Kushner, but given the timing, assesses they were almost certainly related to the plan. Gerson said that Dmitriev knew that Gerson had given the document to Kushner.<sup>4689</sup>

(U) Kushner described what he did with the document:

*Rick kind of gave me something that he thought were his thoughts on U.S./Russia—Rick really wasn’t involved in Russia, but he gave it to me. What I did . . . with that was, he gave me two copies. . . . I wasn’t that involved with the*

4681 [REDACTED]

4682 (U) Gerson Tr., p. 132.

4683 [REDACTED]

4684 (U) *Ibid.* The two exchanged seven emails with drafts of the document.

4685 (U) Gerson Tr., pp. 133–134.

4686 (U) *Ibid.*, pp. 134–135; *SCO Report*, Vol. I, p. 158; FBI, FD-302, Gerson 6/15/2018.

4687 (U) Gerson Tr., p. 134 (“I never followed-up with him. He never told me who ended up looking at it, if anyone.”).

4688 (U) WhatsApp Audio metadata, Dmitriev to Gerson, January 18, 2017 (GERSON\_00000124).

4689 (U) Gerson Tr., pp. 135–136.

[REDACTED]

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*Russia file, so I gave one copy to Bannon and one copy to Rex Tillerson, who were kind of more involved in Russia than I was, and so and that was kind of the last of it.*<sup>4690</sup>

(U) On January 19, 2017, Dmitriev sent Nader a copy of the document, telling him that it was “a view from our side that I discussed in my meetings on the islands with you and our friends. Please share with them—we believe this is a good foundation to start from.”<sup>4691</sup>

(U) On January 26, 2017, Dmitriev informed Gerson that his “boss” had asked whether the Trump administration had any feedback regarding the proposal.<sup>4692</sup> Dmitriev said that he was facing pressure to begin meeting with U.S. officials.<sup>4693</sup> “We do not want to rush things and move at a comfortable speed. At the same time, my boss asked me to try to have the key US meetings in the next two weeks if possible.”<sup>4694</sup> Dmitriev also informed Gerson that the two Presidents were to speak by phone that Saturday, and that the information was “very confidential.”<sup>4695</sup>

(U) The same day, Dmitriev reached out to Nader emphasizing the need to continue trying to establish a back channel for communications between the United States and Russia. In a text message to Nader, Dmitriev said that he had seen his “boss” the day before, and that Putin had “emphasized that this is a great priority for us and that we need to build this communication channel to avoid bureaucracy.”<sup>4696</sup> Two days later, Dmitriev wrote Nader asking if he could “confirm to my boss” that “your friends,” an apparent reference to the Trump Administration, would use information contained in the document provided by Gerson to Kushner in the planned call between Trump and Putin.<sup>4697</sup> Nader responded, “Definitely paper was . . . submitted by Rick [Gerson] and me. They took it seriously!”<sup>4698</sup>

(U) Following the January 28 call between Trump and Putin, Dmitriev wrote to Nader informing him that, “the call went very well. My boss wants me to continue making some public statements that us [sic] Russia cooperation is good and important.”<sup>4699</sup> Gerson also wrote to

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<sup>4690</sup> (U) Kushner Tr. II, pp 114–115.

<sup>4691</sup> (U) *SCO Report*, Vol. I, p. 158. Dmitriev’s reference to the “meetings on the islands” is almost certainly about the Seychelles meetings with Erik Prince, described *infra*.

<sup>4692</sup> (U) *Ibid.* A probable reference to Putin, given Dmitriev’s historical use of the word.

<sup>4693</sup> (U) *Ibid.*

<sup>4694</sup> (U) *Ibid.*

<sup>4695</sup> (U) *Ibid.*

<sup>4696</sup> (U) *Ibid.*, Vol. I, p. 159.

<sup>4697</sup> (U) *Ibid.*

<sup>4698</sup> (U) *Ibid.*

<sup>4699</sup> (U) *Ibid.*

[REDACTED]

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Dmitriev following the call to comment on how well it went, and Dmitriev responded that their document “played an important role.”<sup>4700</sup>

**iii. (U) Seychelles Meetings**

(U) In addition to using Gerson as a channel of communication, Dmitriev also made contact with individuals perceived to have significant influence in the incoming Trump administration, such as Erik Prince. On January 11, 2017, Prince met with Dmitriev in the Seychelles, where they discussed opportunities to improve the U.S.-Russia bilateral relationship under the incoming Trump administration. The meeting was brokered, in part, by Nader. Prince later relayed the substance of the meeting to Bannon.

(U) Several aspects of Prince’s activities in this time period align closely with the Dmitriev outreach through Gerson described above. In particular, Gerson was also in touch with Bannon, Nader, and Dmitriev during the same time that Prince was in contact with them.<sup>4701</sup> Further, Dmitriev associated the five points on cooperation with discussions he had on “the islands,” presumably a reference to the Seychelles.<sup>4702</sup> The Committee’s ability to investigate these events, however, was significantly hampered by a lack of cooperation from Prince.<sup>4703</sup> In his only response to Committee requests for documents, Prince offered a brief and deceptive description of his meetings in the Seychelles.

*On or around Jan 11, 2017 I traveled to the Seychelles to meet with some potential customers from the UAE for the logistics business of which I’m Chairman. After the meeting they mentioned a guy I should meet who was also in town to see them, a Kirill Dmitriev from Russia who ran some sort of hedge fund. I met him in the hotel bar and we chatted on topics ranging from oil and commodity prices to how much his country wished for resumption of a normal trade relationship with the USA. I remember telling him that if Franklin*

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<sup>4700</sup> (U) *Ibid.* Nader and Gerson met with Kushner at the White House in the following months. During a meeting on February 15, 2017, Nader shared a “conspiracy” theory with Kushner and Bannon that foreign intelligence services in the United Kingdom had worked throughout the Transition and after inauguration with “the Deep State in the U.S.” who were “trying to find stuff about [Trump].” Gerson Tr., pp. 84–86. According to Gerson, Kushner dismissed the theory, and Bannon did not react before he was quickly pulled into another meeting. Gerson said that the Steele dossier “wasn’t specifically referred to” during the meeting. Nader had two subsequent meeting in the White House which Gerson facilitated, including in mid-April 2017 related to Qatar and Saudi Arabia and early May 2017 related to the UAE. *Ibid.*, pp. 90–92, 96.

<sup>4701</sup> (U) Gerson told the Committee that he never met or communicated with Prince. *Ibid.*, pp. 9–10.

<sup>4702</sup> (U) *SCO Report*, Vol. I, p. 158.

<sup>4703</sup> (U) On November 8, 2017, the Committee issued a subpoena to Erik Prince requesting from him documents related to the Committee’s investigation. Prince responded on November 22, 2017, providing approximately 25 pages of material. Only the cover letter, described above, was relevant to his meetings in the Seychelles.

[REDACTED]

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*Roosevelt could work with Joseph Stalin to defeat Nazi Fascism then certainly Donald Trump could work with Vladimir Putin to defeat Islamic Fascism. The meeting ended after a maximum of 30 minutes. I've had no communication or dealings with him or any of his colleagues before or after that encounter last January.*<sup>4704</sup>

**a. (U) Initial Contacts**

(U) On January 3, 2017, Nader traveled to New York where he met multiple times with Prince.<sup>4705</sup> During the course of their discussions, Nader and Prince discussed Dmitriev, and Nader made clear to Prince that the Russians were interested in building relationships with the incoming Trump administration.<sup>4706</sup> Although Prince's written statement to the Committee described his meeting with Dmitriev as an unplanned encounter, during Prince's discussions with Nader in New York, Nader described Dmitriev's explicit request for Nader to introduce him to incoming administration officials.<sup>4707</sup> Nader then asked whether Prince would be willing to meet with Dmitriev.<sup>4708</sup> Prince replied that he would have to think about it and speak with Transition Team officials.<sup>4709</sup>

(U) After their dinner on January 3, Nader sent Prince a Wikipedia entry on Dmitriev to provide further background.<sup>4710</sup> Nader then sent a separate message to Dmitriev informing him that he had just met with "some key people within the family and inner circle," a reference to Prince.<sup>4711</sup> Nader told Dmitriev that he had spoken highly of Dmitriev to Prince, and said that Prince needed Dmitriev's bio.<sup>4712</sup> Dmitriev complied, sending Nader a two-page biography along with a list of positive quotes about Donald Trump that he had given to media outlets.<sup>4713</sup>

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<sup>4704</sup> (U) Letter, Prince to SSCI, November 22, 2017. On March 25, 2019, the Committee served an additional subpoena requesting that Erik Prince produce documents and appear before the Committee. Prince's attorney responded on April 7, informing the Committee that Prince would not appear before the Committee, and that Prince was invoking his Fifth Amendment right against self-incrimination. Letter, Schwartz to SSCI, April 7, 2019.

<sup>4705</sup> (U) *SCO Report*, Vol. I, p. 151.

<sup>4706</sup> (U) *Ibid.*

<sup>4707</sup> (U) *Ibid.*

<sup>4708</sup> (U) *Ibid.*

<sup>4709</sup> (U) *Ibid.* In his testimony to the HPSCI, Prince insisted that he did not travel to the Seychelles for a meeting with somebody from Russia. "No, no, let me clarify. I didn't fly there to meet any Russian guy." Transcript of the Interview of Erik Prince, HPSCI, November 30, 2017, p. 52.

<sup>4710</sup> (U) *Ibid.*

<sup>4711</sup> (U) *Ibid.*

<sup>4712</sup> (U) *Ibid.*, Vol. I, p. 152

<sup>4713</sup> (U) *Ibid.*

[REDACTED]

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(U) The next morning, January 4, Nader forwarded Dmitriev's information as attachments to Prince.<sup>4714</sup> Prince opened the attachments while in Trump Tower that day talking with Transition officials and waiting to meet with Steve Bannon. Although Prince spent three hours at Trump Tower that day, he said that he could not remember whether he actually met with Bannon.<sup>4715</sup>

**b. (U) Inviting Dmitriev**

(U) Shortly thereafter, arrangements were made for Prince to meet with Dmitriev in the Seychelles.<sup>4716</sup>

[REDACTED]

(U) Prince booked his flight to the Seychelles on January 7, 2017.<sup>4719</sup> In his testimony to the HPSCI, Prince asserted that he had only gone to the Seychelles to discuss business with members of the UAE royal family.

*I don't remember who called me. I think it was one of his schedulers. And just said, "His Highness would like to see you if you can come out to the Seychelles."*<sup>4720</sup>

(U) Nevertheless, on January 8, 2017, Nader, having apparent knowledge of Prince's plans to be in the Seychelles, informed Dmitriev that he had a "pleasant surprise" for him; specifically a meeting with a "special guest" from the "New Team," a reference to Prince.<sup>4721</sup> In a follow up message to Nader, Dmitriev sought assurances that a meeting with Prince was

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<sup>4714</sup> (U) *Ibid.*

<sup>4715</sup> (U) *Ibid.*

<sup>4716</sup> (U) *Ibid.*

<sup>4717</sup> [REDACTED]

<sup>4718</sup> (U) *Ibid.*

<sup>4719</sup> (U) *SCO Report*, Vol. I, p. 152.

<sup>4720</sup> (U) Transcript of the Interview of Erik Prince, HPSCI, November 30, 2017, p. 22.

<sup>4721</sup> (U) *SCO Report*, Vol. I, p. 152

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worthwhile.<sup>4722</sup> Nader assured Dmitriev that Prince held a position of influence with the incoming administration, writing that, “This guy [Prince] is designated by Steve [Bannon] to meet you! I know him and he is very very well connected and trusted by the New Team. His sister is now [Secretary] of Education.”<sup>4723</sup>

[REDACTED]

(U) According to Gerson, at some point before the meeting, Dmitriev reached out to him to inquire about Prince:

*He had mentioned Erik Prince and had asked me if I knew him or what I thought about him. He would ask me like a reference check on a bunch of people. He'd throw out names, maybe 15 names. What do you think of dut-dut-dut-dut, and I told him that I didn't know Erik Prince. I never met him. But I had heard good things about his sister, who had done work in school-choice reform. I don't remember if he had mentioned to me he was going to meet him or he had met him. But he did tell me that he was in contact with him.*<sup>4726</sup>

(U) According to Nader, Prince led him to believe that Bannon was aware of Prince's trip to meet with Dmitriev, and Nader understood from Prince that any information would be passed on to the Transition team.<sup>4727</sup> However, Bannon denied knowing about the meeting.<sup>4728</sup>

**c. (U) Meetings Between Prince and Dmitriev**

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<sup>4722</sup> (U) *Ibid.*, Vol. I, pp. 152–153.

<sup>4723</sup> (U) *SCO Report*, Vol. I, p. 153.

<sup>4724</sup> [REDACTED]

<sup>4725</sup> (U), *Ibid.*

<sup>4726</sup> (U) Gerson Tr., pp. 63–64. In his interview, Gerson said that the conversation about Prince took place before Prince met Dmitriev in the Seychelles. However, Gerson was unable to confirm the timeline having deleted the WhatsApp messages in which he communicated with Dmitriev. *Ibid.*, p. 64. According to the *SCO Report*, this exchange took place on January 9, 2017; two days before Dmitriev and Prince first met. *SCO Report*, Vol. I, p. 157.

<sup>4727</sup> (U) *SCO Report*, Vol. I, p. 153.

<sup>4728</sup> (U) Bannon Tr., pp. 352–353.

[REDACTED]

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(U) The SCO determined that Prince met twice in the Seychelles with Dmitriev. Prince first met with Dmitriev on January 11, 2017, in Nader’s villa at the Four Seasons Resort in Seychelles with Nader present, and that meeting lasted approximately 30-45 minutes.<sup>4729</sup> During the meeting, Prince criticized the Obama administration, and told Dmitriev that he looked forward to a new era of cooperation and conflict resolution.<sup>4730</sup> The topic of Russian interference in the 2016 election was not discussed.<sup>4731</sup>

(U) Prince and Dmitriev also discussed Bannon during the first meeting. Prince told Dmitriev that Bannon was effective in his role, if a bit unconventional.<sup>4732</sup> Prince also described his own role in providing policy papers to Bannon.<sup>4733</sup> Prince told Dmitriev that he would report the details of the meeting to Bannon, and if there was interest in having further discussions, either Bannon or someone from the Transition Team would follow up.<sup>4734</sup>

(U) There was a second meeting between Prince and Dmitriev. After returning to his hotel room, Prince learned that Russia was sending an aircraft carrier to Libya.<sup>4735</sup> Prince then called Nader and asked him to set up another meeting with Dmitriev.<sup>4736</sup> According to Nader, Prince told him that he had checked with associates in the United States, and needed to get a message to Dmitriev that Libya was “off the table.”<sup>4737</sup> Nader wrote to Dmitriev informing him that Prince had “received an urgent message that he needs to convey to you immediately.”<sup>4738</sup> They then made arrangements for the three of them to meet at the restaurant of the Four Seasons.<sup>4739</sup>

(U) At this second meeting, Prince conveyed to Dmitriev that the United States could not accept any Russian involvement in Libya because it would make the situation there worse.<sup>4740</sup> Despite having claimed to have spoken with associates in the United States and claiming to speak on behalf of the United States’ position on Russia’s involvement in Libya, Prince told the SCO that he was only making the comments as a former naval officer, and not in an official capacity.<sup>4741</sup>

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<sup>4729</sup> (U) *SCO Report*, Vol. I, p. 153.

<sup>4730</sup> (U) *Ibid.*

<sup>4731</sup> (U) *Ibid.*

<sup>4732</sup> (U) *Ibid.*

<sup>4733</sup> (U) *Ibid.*

<sup>4734</sup> (U) *Ibid.*, Vol. I, p. 154.

<sup>4735</sup> (U) *Ibid.*

<sup>4736</sup> (U) *Ibid.*

<sup>4737</sup> (U) *Ibid.*

<sup>4738</sup> (U) *Ibid.*

<sup>4739</sup> (U) *Ibid.*

<sup>4740</sup> (U) *Ibid.*

<sup>4741</sup> (U) *Ibid.*, Vol. I, p. 155.

(U) Hours later, Prince sent two text messages to Bannon.<sup>4742</sup> However, neither Bannon nor Prince had any messages on their phones prior to March 2017, despite records indicating that they had exchanged multiple messages.<sup>4743</sup>

d. (U) Post-Meeting Reactions

(U) Afterward, Dmitriev expressed his disappointment to Nader about the meetings. Dmitriev wanted an interlocutor with more seniority within the Transition Team.<sup>4744</sup> Further, according to the *SCO Report*, Dmitriev felt the conversations lacked substance, and found Prince's comments to be insulting.<sup>4745</sup>

(U) However, in a message to Gerson, Dmitriev reported that Bannon had asked Prince to meet with Dmitriev and that the meeting had been positive.<sup>4746</sup> Gerson has said that following the meeting, Dmitriev told him over text and during one of their phone calls<sup>4747</sup> that he had met with Prince.<sup>4748</sup> Dmitriev asked Gerson if Prince was someone he should work with in regards to reconciliation.<sup>4749</sup> Gerson shared the impression he got from Nader, which was that Prince overplayed connections for contracts.<sup>4750</sup> Dmitriev also asked about Betsy DeVos, Anthony Scaramucci,<sup>4751</sup> and Steve Schwarzmann, plus others whom Gerson did not know.<sup>4752</sup>

(U) Prince told the SCO that he reported to Bannon the details of his meeting with Dmitriev, including the message that Russia sought better relations with the incoming

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<sup>4742</sup> (U) *Ibid.*

<sup>4743</sup> (U) *Ibid.*, Vol. I, p. 155–56. Both Prince and Bannon claimed to the SCO that they did not know why the phones had no messages. *Ibid.*, Vol. I, p. 156.

<sup>4744</sup> (U) *Ibid.*, Vol. I, p. 155.

<sup>4745</sup> (U) *Ibid.*

<sup>4746</sup> (U) *Ibid.*, Vol. I, p. 158.

<sup>4747</sup> (U) Records show multiple communications between Gerson and Dmitriev on January 18 and January 19, 2017. WhatsApp Audio metadata, Dmitriev to Gerson, January 18–19, 2017 (GERSON\_00000122–124) (showing eight calls, four of which indicate a connection of a minute or more).

<sup>4748</sup> (U) FBI, FD-302, Gerson 6/15/2018.

<sup>4749</sup> (U) *Ibid.*

<sup>4750</sup> (U) *Ibid.*

<sup>4751</sup> (U) According to Anthony Scaramucci, he and Dmitriev have a relationship that is tied to their involvement in the World Economic Forum, including several meetings in Davos. In December 2016, Scaramucci and Dmitriev spoke by phone about the possibility of RDIF bringing a group of Russian CEOs to the United States to discuss investments. During the call, Dmitriev made it clear that he was looking to increase business activity between the United States and Russia. In later conversations at Davos, Dmitriev raised the issue of sanctions and Crimea with Scaramucci, making the case that Crimea was not an “international situation.” SSCI Transcript of the Interview with Anthony Scaramucci, October 29, 2018, pp. 69–70, 136–152.

<sup>4752</sup> (U) FBI, FD-302, Gerson 6/15/2018.

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administration.<sup>4753</sup> Prince met Bannon at Bannon's home after returning to the United States in mid-January 2017.<sup>4754</sup> Prince also believed he shared Dmitriev's contact information with Bannon.<sup>4755</sup> According to Prince, Bannon directed him not to follow up with Dmitriev.<sup>4756</sup> Prince interpreted the decision as a lack of interest on Bannon's part.<sup>4757</sup>

(U) Bannon, however, denied any discussion with Prince about these meetings.<sup>4758</sup> Bannon said he never had a conversation with Prince regarding Dmitriev, RDIF, or any meetings with Russians associated with Putin.<sup>4759</sup>

**4. (U) Robert Foresman**

(U) Robert Foresman is an American banking executive with experience in Russia. From his decades of work in Moscow, Foresman has longstanding ties to Russia and well-connected business executives inside Russia, including some individuals with direct ties to Putin. Foresman reached out to the Trump Campaign in approximately March 2016 to offer advice on Russia and convey that Anton Kobyakov, an advisor to Putin, wanted to invite Trump to the St. Petersburg International Economic Forum.<sup>4760</sup> Following the election, Foresman leveraged his extensive ties to senior businessmen, including by transmitting messages between the Transition Team and his Russian contacts, in order to persuade the Trump Transition Team to grant him a senior political appointment in the new administration.

(U) Among Foresman's associates with ties to the Kremlin are Kirill Dmitriev and Nord Stream CEO Mattias Warnig. Foresman first met Warnig in approximately 2001 and told the Committee that he had maintained a close friendship with Warnig since that time.<sup>4761</sup> Foresman described Warnig as someone who was "very close to President Putin."<sup>4762</sup> Foresman based this belief, in part, on his experiences working with Warnig in 2001 to set up "the first and most important private channel" between President George W. Bush and Putin.<sup>4763</sup>

**i. (U) Foresman's Outreach to Trump Campaign**

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<sup>4753</sup> (U) *SCO Report*, Vol. I, pp. 155–156.

<sup>4754</sup> (U) *Ibid.*

<sup>4755</sup> (U) *Ibid.*, Vol. I, p. 156.

<sup>4756</sup> (U) *Ibid.*

<sup>4757</sup> (U) *Ibid.*

<sup>4758</sup> (U) *Bannon Tr.*, pp. 352–53.

<sup>4759</sup> (U) *SCO Report*, Vol. I, p. 156.

<sup>4760</sup> (U) Kobyakov was an advisor to Putin and a member of the Roscongress Foundation, which organizes the forum. See *Roscongress.org*, Anton Kobyakov Biography.

<sup>4761</sup> (U) *Foresman Tr.*, pp. 17–18.

<sup>4762</sup> (U) *Ibid.*, p. 18.

<sup>4763</sup> (U) *Ibid.*, pp. 19–20.

[REDACTED]

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(U) On March 8, 2016, Foresman emailed an associate of Mark Burnett, a television executive and producer who had worked with Donald Trump in the past, to offer his assistance to Trump’s presidential campaign.<sup>4764</sup> In his message, Foresman asked Burnett’s associate to “remind him [Burnett] that I am ready to meet with Donald Trump and/or his foreign policy team at any time and to assist his campaign regarding Russia policy and more broadly.”<sup>4765</sup> Burnett’s associate replied, “Yes Mark is definitely aware and has put a call out to Trump.”<sup>4766</sup> In response, Foresman said:

*Good man, thank you. . . . And there’s the small matter of the Kremlin inviting Trump to Russia and asking me to convey this :) And of course I thought immediately of Mark!*<sup>4767</sup>

(U) On March 14, 2016, Foresman’s name and phone number ended up on a list of messages for Trump, which Graff emailed to Corey Lewandowski.<sup>4768</sup> Graff’s email to Lewandowski said that Foresman was referred by Burnett, and was an “Extremely well connected banker with big ties to Russia.”<sup>4769</sup> Keith Schiller, who was copied on the original email, forwarded it to Hope Hicks, asking her to print it for Trump.<sup>4770</sup>

(U) Foresman told the Committee that he understood from what Burnett told him that at some point Burnett had spoken “directly” with Trump and suggested that Foresman would be “a useful person to meet with.”<sup>4771</sup> He said:

*I don’t have a vivid recollection now whether I said, Mark can you get me a meeting with President Trump, or whether Mark said, Hey, you should meet with Trump. I can’t remember which one of those it was. . . .*

*Mark had seen Candidate Trump [either on] the day-of, [or] before [the Florida primary] debate.<sup>4772</sup> And had said something to me along the lines of, I spoke*

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<sup>4764</sup> (U) Email, Foresman to Rascoe, March 8, 2016 (RMF\_SCI\_00000036). Foresman had previously served as a fundraiser for Jeb Bush’s Presidential campaign. Foresman Tr., p. 19.

<sup>4765</sup> (U) Email, Foresman to Rascoe, March 8, 2016 (RMF\_SCI\_00000036).

<sup>4766</sup> (U) Email, Rascoe to Foresman, March 8, 2016 (RMF\_SCI\_00000036).

<sup>4767</sup> (U) Email, Foresman to Rascoe, March 9, 2016 (RMF\_SCI\_00000036).

<sup>4768</sup> (U) Email, Graff to Lewandowski, March 14, 2016 (DJTFP00009944).

<sup>4769</sup> (U) *Ibid.*

<sup>4770</sup> (U) Email, Schiller to Hicks, March 14, 2016 (DJTFP00009944).

<sup>4771</sup> (U) Foresman Tr., p. 31.

<sup>4772</sup> (U) The Florida Republican Primary debate took place on March 10, 2016.

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*to—I think he said that he spoke to Donald about you, and he's interested—he'd love to meet you and you should contact Rhona Graff.*<sup>4773</sup>

(U) Approximately two weeks later, on March 31, 2016, following a phone conversation with Graff, Foresman emailed Graff to say that Burnett had spoken with Trump and recommended that he speak with Foresman.<sup>4774</sup> Foresman then informed Graff that he had “developed unique relationships at the highest levels in Russia.” He went on to say that he had:

*[P]layed a significant role behind the scenes in the crucial area of US-Russian relations. I initiated a private channel between Vladimir Putin and George W. Bush in early 2001<sup>4775</sup> and remain actively involved in trying to “turn down the volume” between Washington and Moscow. I have been approached by senior Kremlin officials about Mr. Trump and would like to discuss this with Mr Trump. . . . I have some concrete things to propose which I would not want to put down in an unsecure email.*<sup>4776</sup>

(U) In testimony to the Committee, Foresman said that the reference to the “concrete things” he wanted to talk with Trump about was related to an invitation to the Saint Petersburg International Economic Forum.<sup>4777</sup> According to Foresman, he had been approached by a Presidential Advisor to Putin, Anton Kobayakov, asking Foresman:

*Would I be able to get an invitation to [Trump] for the Saint Petersburg International Economic Forum in late May or June? And I said I suppose I probably can. I said I don't know President or Candidate Trump. I don't know his team, but I don't think it would be very hard for me to get something to him. So that [was] what I wanted to communicate.*<sup>4778</sup>

(U) Foresman told the Committee that he sought a meeting with Trump, in part to share his overall views of Russia, but also to advise Trump not to attend the forum.<sup>4779</sup> According to

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<sup>4773</sup> (U) Foresman Tr., pp. 29–30, 32.

<sup>4774</sup> (U) Email, Foresman to Graff, March 31, 2016 (DJTFP00010473); Foresman Tr., p. 33.

<sup>4775</sup> (U) In his testimony to the Committee, Foresman described how, in January 2001, he and Matthias Warnig worked together to set up a private communication channel between President Bush and President Putin prior to the two presidents' first meeting in Ljubljana, Slovenia, in June 2001. These efforts are described in greater detail below.

<sup>4776</sup> (U) Email, Foresman to Graff, March 31, 2016 (DJTFP00010473).

<sup>4777</sup> (U) Foresman Tr., pp. 36, 48.

<sup>4778</sup> (U) *Ibid.*, pp. 35–36.

<sup>4779</sup> (U) *Ibid.*, pp. 38–39.

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Foresman, he did not think a presidential candidate should visit an adversarial country, especially having not yet secured the party's nomination.<sup>4780</sup>

(U) The meeting Foresman sought with Trump in spring 2016 never happened.<sup>4781</sup> In late July 2016, Foresman once again reached out to Graff after a journalist contacted him requesting a discussion on Trump's business dealing in Russia.<sup>4782</sup> Foresman again offered to meet with Trump or "any of his children" to discuss matters related to Russia.<sup>4783</sup> Although Graff responded that she remembered their conversation and offered to "revisit this with some of the newer members of our campaign team," Foresman did not meet with Trump or his Campaign at that time.<sup>4784</sup>

**ii. (U) Post-Election Outreach to Transition Team**

**a. (U) Foresman Tries to Connect Peskov with the Transition**

(U) On November 10, 2016, just two days after the election, Foresman was attending an event linked to the World Chess Championships, which were being held in New York.<sup>4785</sup> While attending the event, Foresman reintroduced himself to Dmitry Peskov, Putin's press secretary. Foresman said he suggested to Peskov that Peskov meet with his "counterpart" from the Trump Transition Team while in New York.<sup>4786</sup> Foresman said that Peskov "wasn't keen on the idea," but agreed to do so if the schedule permitted.<sup>4787</sup> Later that evening, Foresman sent an email to Peskov asking if Peskov could meet the following morning with Megyn Kelly of Fox News, who was seeking an interview with Putin.<sup>4788</sup>

(U) The next morning, Foresman reached out to Burnett, seeking help to put him in touch with the appropriate person in the incoming administration to meet with Peskov.<sup>4789</sup> After contacting the Transition Team, Burnett put Foresman in touch with Hope Hicks through a text message, telling Hicks:

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<sup>4780</sup> (U) *Ibid.*, p. 39.

<sup>4781</sup> (U) Email, Foresman to Graff, July 27, 2016 (RMF\_SCI\_000039-40); Foresman Tr., p. 39.

<sup>4782</sup> (U) Email, Foresman to Graff, July 27, 2016 (RMF\_SCI\_000039).

<sup>4783</sup> (U) *Ibid.*

<sup>4784</sup> (U) Emails, Graff and Foresman, July 27–August 3, 2016 (RCF\_SCI\_000039); *see also* Email, Graff to S. Miller and J. Miller, August 4, 2016 (TRUMPORG\_16\_000151–000152); Foresman Tr., p. 54.

<sup>4785</sup> (U) Foresman Tr., p. 56. A UBS client, PhosAgro, a Russian chemical company, was sponsoring the World Chess Championships that year.

<sup>4786</sup> (U) *Ibid.*

<sup>4787</sup> (U) *Ibid.*, pp. 56–57.

<sup>4788</sup> (U) Email, Foresman to Peskov, November 10, 2016 (RMF\_SCI\_00000002).

<sup>4789</sup> (U) Foresman Tr., pp. 58–59.

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*Hope meet Bob Foresman. Bob is the most important banking figure in US / Russia relationships and is currently Vice Chairman of UBS. Bob wants to introduce you to Dimitry Peskov PRESS SECRETARY OF the Kremlin TODAY IN NYC.*<sup>4790</sup>

(U) Foresman responded to Hicks that he would call her shortly.<sup>4791</sup> According to Foresman, after multiple calls between them, Hicks told him that the Department of State did not recommend that she speak with any foreign officials until after the inauguration.<sup>4792</sup> Foresman then passed this information on to Peskov, who indicated he did not know who Hicks was.<sup>4793</sup>

**b. (U) Foresman is Introduced to the Transition Team**

(U) On November 29, 2016, a colleague of Foresman's sent an email to Anthony Scaramucci, introducing Scaramucci to Foresman.<sup>4794</sup> Within a few minutes, Foresman responded, offering to meet with Scaramucci.<sup>4795</sup> Five days later, on December 4, 2016, Scaramucci responded, asking Foresman what position he had been thinking about in the upcoming administration.<sup>4796</sup> After some emails back and forth, they agreed to try and meet face-to-face at a breakfast they were both planning to attend on December 7.<sup>4797</sup>

(U) On December 6, prior to the breakfast, Jared Cohen, the President of Jigsaw and an advisor to the Executive Chairman of Alphabet Inc., sent a note to Kushner highly recommending Foresman for a policy position within the administration. Specifically, Cohen highlighted Foresman's knowledge of Russia and fluency in Russian, and noted that Foresman "has some of the best relationships in the Kremlin of any American I know."<sup>4798</sup> The next day, Kushner forwarded the recommendation to Transition Team officials, saying, "Maybe for

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<sup>4790</sup> (U) Text message, Burnett to Hicks and Foresman, November 11, 2016 (MB SEN-INTEL0000021). Despite his efforts to help Foresman get a job with the incoming administration, Burnett told the Committee that he did not really know Foresman that well, only that Foresman had been helpful in getting one of Burnett's shows on Russian TV and had credibility. "He was looking probably for a job interview, I have no idea how qualified, but to me seemed a really upstanding guy, with his heart in the right place on Christian issues to me, and asked for a referral." SSCI Transcript of the Interview with Mark Burnett, July 27, 2018, pp. 40, 44-45.

<sup>4791</sup> (U) Text message, Foresman to Burnett and Hicks, November 11, 2016 (MB SEN-INTEL0000021).

<sup>4792</sup> (U) Foresman Tr., pp. 60-65.

<sup>4793</sup> (U) Foresman Tr., p. 65.

<sup>4794</sup> (U) Email, DellaRusso to Scaramucci, Foresman, and Sullivan, November 29, 2016 (BF.AS.SSCI.112917000486-487). According to Scaramucci, he knew DellaRusso from a time when the two men worked together at Lehman Brothers in the mid-2000s. Scaramucci Tr., pp. 43-44.

<sup>4795</sup> (U) Email, Foresman to Scaramucci, November 29, 2016 (BF.AS.SSCI.112917000486).

<sup>4796</sup> (U) Email, Scaramucci to Foresman, December 4, 2016 (BF.AS.SSCI.112917000486).

<sup>4797</sup> (U) Emails, Foresman and Scaramucci, December 6-7, 2016 (BF.AS.SSCI.112917000488).

<sup>4798</sup> (U) Email, J. Cohen to Kushner, December 6, 2016 (BF.AS.SSCI.112917000462). According to Foresman, he was introduced to Jared Cohen through former U.S. Ambassador to Russia, Michael McFaul. Foresman Tr., p. 83.

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Ambassador?”<sup>4799</sup> Jim Donovan, one of the recipients of Kushner’s message, forwarded the message on to three people, including Scaramucci, on the morning of December 7, prior to the scheduled 7:00 a.m. breakfast at which Scaramucci was to meet with Foresman.<sup>4800</sup> Foresman told the Committee that he did not have an opportunity to meet with Scaramucci at the breakfast, but they had met later that morning, and during an exchange of emails with Jared Cohen, Foresman wrote, “I met Anthony Scaramucci this morning and he confirmed my name is on some list.”<sup>4801</sup>

(U) Also on December 6, Burnett texted Bannon to introduce him to Foresman. In his text, Burnett described Foresman as “connected at every level in Russian Government, Church and Business. He is ready to serve you. He will leave [his current job] to serve you.”<sup>4802</sup> Bannon and Foresman exchanged texts in an attempt to set a time to meet, and did meet, although the specific time of the meeting is not clear from the records produced by Burnett or from Bannon’s testimony.<sup>4803</sup> However, on December 8, Burnett texted Bannon saying, “Glad you met with Bob Foresman. He is a patriot. An evangelical and a genius.” Bannon replied, “He is pretty amazing.”<sup>4804</sup>

(U) According to Bannon, the meeting with Foresman lasted five to ten minutes, and the topic focused primarily on “Christianity in Russia and Eastern Europe, the re-evangelization of Europe.”<sup>4805</sup> Talk then turned to the fact that Foresman was looking for an opportunity to join the administration in some unspecified capacity. According to Bannon, he then “turned him over to [National Security Advisor-designee Michael] Flynn and the guys.”<sup>4806</sup>

(U) However, according to Foresman, the meeting was longer and more substantive. Foresman recalled that during the approximately 20-minute meeting, Bannon:

*Asked me if I would be interested in being the deputy chief of mission in the American Embassy in Kiev. To which I replied, I don’t think that would be commensurate with my qualifications. I don’t think that would be a role that I*

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<sup>4799</sup> (U) Email, Kushner to Dearborn, Donovan, et al., December 7, 2016 (BF.AS.SSCI.112917000462).

<sup>4800</sup> (U) Email, Donovan to Goldschmidt, Scaramucci, et al., December 7, 2016 (BF.AS.SSCI.112917000462).

<sup>4801</sup> (U) Foresman Tr., p. 82; Email, Foresman to J. Cohen, December 7, 2016 (RMF-SCI-00000053).

<sup>4802</sup> (U) Text Message, Burnett to Bannon and Foresman, December 6, 2016 (MB\_SEN-INTEL0000024).

<sup>4803</sup> (U) Text Messages, Burnett, Foresman, and Bannon, December 6–8, 2016 (MB\_SEN-INTEL0000024); Bannon Tr., pp. 327–328.

<sup>4804</sup> (U) Text Messages, Burnett and Bannon, December 8, 2016 (MB\_SEN-INTEL0000024). In testimony to the Committee, Bannon claimed that he was less impressed with Foresman than his message indicated. Bannon Tr., pp. 327–328.

<sup>4805</sup> (U) Bannon Tr., pp. 327–328.

<sup>4806</sup> (U) *Ibid.*, pp. 328–329.

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*would leave my current—I don't think that would be the best use of my talents, I said.*

*And I have a vague recollection . . . that we talked about foreign affairs. About Russia and Ukraine, I think was the topic. And he asked me toward the end of the meeting if . . . I could send him a memo by that evening.<sup>4807</sup>*

(U) According to Foresman, Bannon was vague about the topic of the memo, so Foresman “wrote the memo as a combination of how I see Russia and what sort of role . . . should exist in our government to coordinate Russia policy.”<sup>4808</sup>

(U) Bannon, however, denied having tasked Foresman with writing a memo, saying, “No. I’m sure this is Flynn.”<sup>4809</sup>

**iii. (U) Foresman Submits a First Russia Memo**

(U) According to Foresman, he submitted the memo to Bannon’s assistant the day after meeting with Bannon, likely December 9, 2016.<sup>4810</sup> That same day Foresman sent a follow-up email to Bannon’s assistant asking if she could “check with Steve whether he would like to forward a copy of my memo to Gen Flynn. Also, any word on my meeting with the General per Steve’s suggestion?”<sup>4811</sup>

(U) The memo described Foresman’s perception that Russian relations had shifted from “alarming to hopeful” following Trump’s election.<sup>4812</sup> It described Russian relations with the Obama administration as presenting “a greater risk of catastrophic direct conflict with Russia [not faced since] the early 1980s.”<sup>4813</sup> He then offered advice for structuring the National Security Council so that Russia was a main focus of the council.<sup>4814</sup> This included the creation of a Russia-specific Deputy National Security Advisor (NSA) position that would ideally be occupied by an individual so described:

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<sup>4807</sup> (U) Foresman Tr., pp. 88–89, 101. Foresman did not submit the memo until the following day.

<sup>4808</sup> (U) *Ibid.*, p. 90.

<sup>4809</sup> (U) Bannon Tr., p. 331.

<sup>4810</sup> (U) Foresman Tr., p. 97.

<sup>4811</sup> (U) Text message, Foresman to Preate, December 9, 2016 (RMF-SCI-00000443).

<sup>4812</sup> (U) Email, Foresman to MacFarquhar, December 14, 2016 (RMF-SCI-00000121–125). Foresman sent a copy of the memo to an acquaintance because of “a striking resemblance” between it and an article published in the *National Interest* shortly thereafter. *Ibid.*

<sup>4813</sup> (U) *Ibid.*

<sup>4814</sup> (U) *Ibid.*

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*Deputy NSA for International Economics, if the person's background is consistent with this. . . . [A person who is] deeply expert in Russia and fluent in Russian. . . . Many, even most, of Putin's inner circle are in the private sector, and speak and understand the language of the private sector, including making deals. The person coordinating Russia policy in the NSC should have a deep knowledge of the private sector not only in general, but in the Russian context.*<sup>4815</sup>

**iv. (U) Foresman Meets with Flynn**

(U) According to Foresman, after submitting the requested memo, he met with Flynn and K.T. McFarland, Flynn's eventual deputy on the NSC, in Flynn's office in Trump tower.<sup>4816</sup> According to McFarland, she did not know Foresman before the meeting, but took it at the request of somebody on the Transition Team.<sup>4817</sup> McFarland said that Foresman primarily spoke about his interest in being Ambassador to Russia; however, she did not find that he had the same level of qualifications as others who were being considered at the time.<sup>4818</sup> Contrary to McFarland's recollection, Foresman told the Committee that he had not been interested in being named the Ambassador to Russia and that discussion of his role did not come up.<sup>4819</sup>

(U) Although McFarland said she did not remember Flynn being present for most of the meeting, Foresman recalled primarily talking to Flynn.<sup>4820</sup> While he did not remember discussion of a possible role for him in the incoming administration, Foresman said that he gave Flynn and McFarland his memo on Russia and possibly a document related to a Ukrainian peace proposal Foresman had previously worked on in 2016, and that the rest of the discussion dealt with U.S. foreign policy related to China, Europe, Iran and ISIS.<sup>4821</sup> During the meeting, Flynn asked Foresman whether Ambassador Kislyak was a worthwhile interlocutor for the United States to get messages to Putin.<sup>4822</sup> Foresman replied that Kislyak was not the best resource for those purposes because, "my understanding is that the Foreign Minister Lavrov doesn't have a direct access to Putin. And that the ambassador to America wouldn't be likely to."<sup>4823</sup>

(U) At the end of the meeting, when Foresman was on his way out, he mentioned to Flynn that he was headed to Moscow in the near future and would be meeting with "some

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<sup>4815</sup> (U) *Ibid.*

<sup>4816</sup> (U) Foresman Tr., p. 97.

<sup>4817</sup> (U) SSCI Transcript of the Interview with Kathleen Troia ("K.T.") McFarland, March 8, 2018, p. 76.

<sup>4818</sup> (U) *Ibid.*, pp. 76–81.

<sup>4819</sup> (U) Foresman Tr., pp. 102, 179.

<sup>4820</sup> (U) McFarland Tr., p. 80; Foresman Tr., pp. 102–103.

<sup>4821</sup> (U) Foresman Tr., pp. 102–103.

<sup>4822</sup> (U) *Ibid.*, pp. 105–106.

<sup>4823</sup> (U) *Ibid.*, p. 106.

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influential people” who were “close to President Putin.”<sup>4824</sup> Foresman asked if Flynn had a message to convey from the incoming administration.<sup>4825</sup> Flynn replied, “you can convey that on behalf of the President-elect and myself, we genuinely hope for improved relations between our two countries.”<sup>4826</sup>

**v. (U) Foresman’s Trip to Moscow**

(U) On December 8, Foresman received an email from Nikolai Tsekhomsky, who was at the time the First Deputy Chairman of VEB.<sup>4827</sup> Prior to that, Tsekhomsky worked at Barclays in Russia from 2009-2012, overlapping with Foresman during that time.<sup>4828</sup> The email said, “Dear Bob! How are you? I need your help. Could you give me a call: [redacted] Nikolai.”<sup>4829</sup> Foresman had his assistant in Moscow arrange the logistics for the call, which took place on December 9.<sup>4830</sup>

(U) During the call, Tsekhomsky informed Foresman that he (Tsekhomsky) was traveling to New York the following week with VEB CEO Sergey Gorkov for meetings with the U.S. financial sector, and that Gorkov would be reporting back to Putin.<sup>4831</sup>

(U) Following the call, Foresman informed his Moscow-based assistant that he had agreed to meet with Tsekhomsky and Gorkov. He also informed his assistant that the meeting was scheduled to take place the following Monday, December 12, and told the assistant that it was a “[t]op priority.”<sup>4832</sup>

(U) Foresman, Tsekhomsky, and Gorkov met shortly after Foresman landed in Moscow.<sup>4833</sup> According to Foresman, the timing of the meeting worked out because the Russians delayed their initial travel for a day, although Foresman did not know why.<sup>4834</sup> During the meeting, Foresman “conveyed to Sergey that General Flynn had asked me to convey a message to President Putin.”<sup>4835</sup> After sharing Flynn’s message about wanting better relations

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<sup>4824</sup> (U) *Ibid.*, pp. 103, 106–107.

<sup>4825</sup> (U) *Ibid.*, p. 103.

<sup>4826</sup> (U) *Ibid.*

<sup>4827</sup> (U) Email, Tsekhomsky to Foresman, December 8, 2016 (RMF-SCI-00000079).

<sup>4828</sup> (U) Foresman Tr., p. 116.

<sup>4829</sup> (U) Email, Tsekhomsky to Foresman, December 8, 2016 (RMF-SCI-00000079).

<sup>4830</sup> (U) Emails, Foresman and Ilyina, December 8–9, 2016 (RMF-SCI-00000080–89).

<sup>4831</sup> (U) Foresman Tr., pp. 117–121. For more details about the call and Gorkov’s trip, *see infra* Vol. 5, Sec. III.K.2.iv.

<sup>4832</sup> (U) Email, Foresman to Ilyina, December 9, 2016 (RMF-SCI-00000101).

<sup>4833</sup> (U) Foresman Tr., pp. 121–122.

<sup>4834</sup> (U) Foresman Tr., p. 122.

<sup>4835</sup> (U) Foresman Tr., pp. 123–124.

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between the United States and Russia, Gorkov told Foresman that he would pass the message along to Putin.<sup>4836</sup>

**vi. (U) Foresman Meets with Allen Vine and Mattias Warnig; Receives a Second Memo**

(U) On December 14, Foresman met with Allen Vine, who left Merrill Lynch in March 2006 to lead Nafta Moskova, an investment firm owned by Russian oligarch Suleiman Kerimov.<sup>4837</sup> Vine is an American, and has been described in the press as the “right-hand man” of Kerimov, a Russian financier and member of the Russian Federation Council who was sanctioned in April 2018.<sup>4838</sup> Foresman understood Vine and Kerimov were affiliated, had offices in the same building, and that Vine worked for or with Kerimov, but Foresman had not done “due diligence” on their relationship.<sup>4839</sup> According to the sanctions designation, Kerimov has allegedly engaged in money laundering activity and tax fraud, for which he was arrested and briefly detained in France.<sup>4840</sup>

<sup>4836</sup> (U) Foresman Tr., pp. 124. For additional details about the conversation regarding a “new era” in bilateral relations between the United States and Russia, *see infra* Vol. 5, Sec. III.K.2.iii.

<sup>4837</sup> (U) Email, Ilyina to Foresman, December 12, 2016 (RMF-SCI-00000115) (transmitting schedule); “Russian Banks Lure Talent With Bigger Bonuses,” *The New York Times (Dealbook)*, August 16, 2006.

<sup>4838</sup> (U) Catherine Belton, “Sulaiman Kerimov, the secret oligarch,” *Financial Times*, February 10, 2012. Kerimov was sanctioned in response to the nerve agent attack on Sergei Skripal and his daughter in England. Treasury, “Treasury Designates Russian Oligarchs, Officials, and Entities in Response to Worldwide Malign Activity,” April 6, 2018; Andrew Higgins, et al., “Meet the 7 Russian Oligarchs Hit by the New Russia Sanctions,” *The New York Times*, April 6, 2018.

<sup>4839</sup> (U) Foresman Tr., p. 28.

<sup>4840</sup> (U) Specifically, Kerimov “is alleged to have brought hundreds of millions of euros into France – transporting as much as 20 million euros at a time in suitcases, in addition to conducting more conventional funds transfers – without reporting the money to French tax authorities. Kerimov allegedly launders the funds through the purchase of villas.” Kerimov has also been accused of failing to pay 400 million euros in taxes related to those villas. Treasury, “Treasury Designates Russian Oligarchs, Officials, and Entities in Response to Worldwide Malign Activity,” April 6, 2018.

<sup>4841</sup> [REDACTED]

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(U) Foresman described Vine as somebody who was “aware that I had put my hand up,” and somebody who was close to Jared Cohen, who had previously recommended Foresman to Kushner.<sup>4844</sup> According to Foresman:

*He would have—I believe I would have made him aware of the fact that I had been in Trump Tower by that point. That I had met with General Flynn. That things were progressing. And he—he helped to draft a memo—he gave me his thoughts on the future direction of U.S./Russia relations, and . . . that he was hoping that I would either absorb, if I were to be in the Administration, or that I would share as part of my briefings with General Flynn when I returned.*<sup>4845</sup>

(U) At the meeting, Vine gave Foresman a memo about U.S.-Russia relations that Vine wanted Foresman to pass along to the incoming administration.<sup>4846</sup> According to Foresman, Vine had originally planned to pass the note to somebody else in order to pass it to Scaramucci, but after learning that Foresman also had a relationship with Scaramucci and had other connections to the Trump team, Vine decided to use Foresman as the conduit.<sup>4847</sup>

(U) That evening, Foresman had dinner with Mattias Warnig, with whom he had worked to establish an unofficial communication channel between the United States and Russian officials in the early days of the George W. Bush administration.<sup>4848</sup> In testimony to the Committee, Foresman described how, in 2001, he said to Mattias Warnig:

*Wouldn't it be interesting if we were to set up a private channel between the new American President and the new Russian President? And a week later—so I had*

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<sup>4842</sup> (U) *Ibid.*

<sup>4843</sup> (U) *Ibid.*

<sup>4844</sup> (U) Foresman Tr., p. 137.

<sup>4845</sup> (U) *Ibid.*

<sup>4846</sup> (U) *Ibid.*, p. 138.

<sup>4847</sup> (U) *Ibid.*

<sup>4848</sup> (U) *Ibid.*, pp. 19, 145.

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*basically forgotten about it—a week later he came into my office and he said: Remember our conversation? I'm ready.*<sup>4849</sup>

(U) After that, the two set up a series of meetings between three Senators close to the Bush family in advance of President Bush's first meeting with Putin.<sup>4850</sup> In his first meeting with Flynn, Foresman mentioned this "private channel" he had established for the Bush administration in order to "sort of credentialize [him]self."<sup>4851</sup>

(U) During his dinner with Warnig that evening, Foresman passed along Flynn's message to Putin: that the incoming administration hoped to have improved relations with Russia.<sup>4852</sup> Foresman told the Committee that Warnig later "indicated" that he had indeed passed the message along to Putin.<sup>4853</sup> "I think he might have said something like, Ditto from President Putin."<sup>4854</sup>

(U) At the dinner, they also discussed who would be the best interlocutor for Flynn, as the incoming National Security Advisor.<sup>4855</sup> Although Vine had previously told Foresman that Yuri Ushakov was retiring and would no longer hold a position of influence with Putin, Warnig strongly disagreed, and told Foresman that Ushakov should be Flynn's point of contact with the Russian government.<sup>4856</sup> Foresman assumed that Warnig's insistence that Ushakov was not retiring indicated that the information came from Putin.<sup>4857</sup>

[REDACTED]

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<sup>4849</sup> (U) *Ibid.*, p. 19.

<sup>4850</sup> (U) *Ibid.*, pp. 18–21.

<sup>4851</sup> (U) *Ibid.*, p. 108.

<sup>4852</sup> (U) *Ibid.*, p. 145.

<sup>4853</sup> (U) *Ibid.*, p. 146.

<sup>4854</sup> (U) *Ibid.*, p. 164.

<sup>4855</sup> (U) *Ibid.*, p. 146–147.

<sup>4856</sup> (U) *Ibid.*, p. 145.

<sup>4857</sup> (U) *Ibid.*, pp. 145–147.

[REDACTED]

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[REDACTED]

[REDACTED]

- (U) U.S. Secretary of State Tillerson met with Putin in Moscow the following day, April 12, 2017.<sup>4860</sup>

(U) After meeting with Warnig and returning to the United States, Foresman rewrote Vine's memo, and substituted some of his own judgments for those contained in the version given to him by Vine, including information from Warnig.<sup>4861</sup>

(U) As revised, the memo offered an assessment of U.S.-Russia relations as they stood at the time, and offered advice on how the United States should attempt to improve bilateral cooperation with Russia.<sup>4862</sup> Several passages in the memo claimed to offer insight into the thoughts and strategic goals of Putin.<sup>4863</sup>

(U) When he received the memo from Vine, Foresman did not tell him that he planned to rewrite it. It was Foresman's assessment that Vine believed the memo would be passed directly to the Trump Transition Team.<sup>4864</sup> One passage that Foresman made clear to the Committee that he had changed was the first paragraph of the memo, where he substituted the information provided to him by Warnig regarding who in the Russian government would be the most appropriate interlocutor for Flynn: Yuri Ushakov, Putin's foreign policy aide.<sup>4865</sup> Ambassador Kislyak had given Jared Kushner a similar recommendation a month earlier.<sup>4866</sup>

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[REDACTED]

<sup>4860</sup> (U) Department of State, "Secretary Tillerson's Visit to Moscow Marks an Important Moment in the Relationship," April 12, 2017.

<sup>4861</sup> (U) Foresman Tr., pp. 138–139, 142–143.

<sup>4862</sup> (U) Memorandum, Foresman to Flynn (RMF-SCI-00003004–3005).

<sup>4863</sup> (U) *Ibid.*

<sup>4864</sup> (U) Foresman Tr., pp. 140–141.

<sup>4865</sup> (U) Foresman Tr., pp. 139, 141.

<sup>4866</sup> (U) Email, Berkowitz to Kushner, December 12, 2016 (NSSCI00000017).

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(U) Although the memo originated with Vine, who works for Russian oligarch Suleiman Kerimov and asked it to be delivered to the Transition Team, and included additional information from Warnig, Foresman insisted that the memo he eventually gave to the Transition Team was one that he “wasn’t asked by Russians to give. [The Vine memo] was something that I, in the end, used as a basis for a memo that I had wanted to write about a briefing about U.S./Russia stuff. And I don’t know that anybody ever read it actually.”<sup>4867</sup>

(U) Foresman did not retain a copy of the memo he received from Vine and he retained only a photograph of the memo he passed to the Transition, which he produced to the Committee upon request.<sup>4868</sup> However, the Committee obtained a hard copy of Foresman’s memo as delivered to Flynn, depicted below, from Sarah Flaherty, who worked for Flynn and McFarland during the Transition<sup>4869</sup>.

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<sup>4867</sup> (U) Foresman Tr., pp. 138–139.

<sup>4868</sup> (U) Foresman Tr., pp. 143–144; *see* Memorandum, Foresman to Flynn (RMF-SCI-00003004–3005).

<sup>4869</sup> (U) Memorandum, Foresman to Flynn (Flaherty Production).

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--VP's appointed contact person for GF (when GF feels it appropriate, before or after inauguration) is Yuri Ushakov, VP's top foreign policy aide (former ambassador to US). Had been rumors that Ushakov would be "retiring" into a comfortable ambassadorship somewhere but that now appears on hold and he is VP's trusted person for US dialogue for foreseeable future. Contact can be made via official channel – Ambassador Kislyak in DC.

--VP has a sober view of the situation. He is prepared to downplay short-term tactical objectives in return for progress on long-term issues that are strategic to both the RF and US:

- Islamic radicalism

- China

- Iran

- the integrity of the European Union [Don't misinterpret affinity toward "pro-Russia" political leaders within the EU as a desire to destabilize the EU; Russia's security could be severely impacted by an unstable Europe]

- the structural weakening of the RF that endangers the long-term integrity of the RF by making vulnerable (1) the Far East, and (2) Central Asia and Tatarstan

--VP is profoundly disconcerted *not* by the fact of US policies against the RF since 1992, but by the fact that:

- these policies have hurt in multiple ways both the RF *and* the West, and

- the very economic and social values that the West thinks it is attempting to protect will be fundamentally compromised for generations if RF is weakened to a point that it cannot protect its structural integrity and regional power

--No newly elected leader in modern history has taken on so many, such complex issues at once, both domestically and globally, as DJT. Limited political capital should be used on issues that have (1) fundamental security and economic consequences for the US, and can have (2) broad domestic *popular and legislative support*: the domestic agenda; China; Iran; Islamic radicalism. Re the latter, Islamic radicalism, VP believes that the RF and US can together largely eradicate the threat, whereas the Iranian threat is more complex and the US should not overestimate the RF's influence over Iran or the dangers Iran could present to the RF's security.

--For the US, the issues involving the RF (1) do not present intractable security concerns, and (2) do not have fundamental economic consequences

- VP appreciates that the new administration is unlikely to have sufficient domestic popular and legislative support to *substantively* progress these issues in the near term. For example [this example does not come from VP], removing sanctions via executive order too soon could risk similar or even more stringent sanctions being codified as law by Congress;

-there is also limited maneuvering space for RF leadership to make concessions on these issues in a public way;

-a significant movement of the RF toward the US will be feasible only once such rapprochement has meaningful popular and legislative support in the US, as otherwise it could be limited to intentions of one administration (but would give further impetus to consolidation of strategic adversaries).

-therefore, spending significant political capital on issues involving the RF too soon could yield disproportionately small results and detract from progress on issues that are strategic for both the RF and the US.

--Focus the public discourse and political capital on areas that are strategic to the US to consolidate popular and legislative support, achieve tangible results and build political capital.

--there is an extraordinarily high level of goodwill toward DJT among the leadership and population of the RF and much hope and excitement, but also caution as people remember the positive start of US-RF relations in Obama's first year (but they clearly see DJT as being very different from Obama)

--Engage as soon as possible through quiet channels: Security; Economic (bi-lateral commercial dialogue similar to the Evans/Abraham/Gref/Usufov format in Bush 43<sup>rd</sup>'s first term); Government to Government (Pence-Medvedev)

#### vii. (U) Foresman Reconnects with Flynn

(U) On Wednesday, December 14, 2016, an aide to Flynn reached out to Foresman asking to arrange a call between the two men the following Friday.<sup>4870</sup> Foresman responded, suggesting that the two of them conduct their call over WhatsApp for security, telling the aide, "I, too, was going to request a call with General Flynn as I have an important message to convey to him."<sup>4871</sup> The phone call eventually took place on December 16, but according to Foresman, Flynn had little to say other than to ask that the two stay in touch.<sup>4872</sup>

*I got an email out of the blue—surprisingly—pleasantly surprised—from his assistant saying General Flynn would like to have a phone call with you . . . . I*

<sup>4870</sup> (U) Email, Atencio to Foresman, December 14, 2016 (RMF-SCI-00000027).

<sup>4871</sup> (U) Email, Foresman to Atencio, December 14, 2016 (RMF-SCI-00000026).

<sup>4872</sup> (U) Foresman Tr., p. 151.

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*thought this was an important call. And it was an odd sort of nothing-burger. I said hello, and he said, Bob, Mike Flynn here. I said: Oh, general. He said: I'm Mike. How you doing? I'm good Yeah, I'm in Moscow just finishing up and actually you doing well? Yeah, great. So, let's stay in touch. Yeah. Exactly. I said, Oh, Yeah, No, Yeah, Great. [L]et's meet when I'm back. And, Okay, take care. So it was strange, I have to say. It was strange.<sup>4873</sup>*

(U) On January 5, 2017, Foresman reached out to Flaherty to request a meeting with Flynn.<sup>4874</sup> In the email, Foresman wrote that he was:

*[R]equesting a 15 min[ute] in person meeting . . . to brief him on what I was asked to convey by the highest level in Moscow. General Flynn called me when I was in Moscow, as you recall, and we agreed that I should brief him in person. . . . I assure you that these will be 15 min[utes] well spent. These are not mundane issues. I am not a foreign policy analyst seeking to share my worldview with the General; I am operating on the ground and have been asked to convey something directly to him, after I conveyed to the relevant party what the General asked me to convey.<sup>4875</sup>*

(U) Foresman offered to draft a memo and deliver it to Trump Tower, if a meeting or phone call was not possible.<sup>4876</sup> He also offered to meet with K.T. McFarland.<sup>4877</sup>

(U) In his interview with the Committee, Foresman said that the information he was referencing was the information shared with him about Ushakov being the best point of contact for Flynn in the Russian government.<sup>4878</sup> He also intended to give Flynn and McFarland a copy of the memo he had adapted from Vine's.<sup>4879</sup>

(U) Later that day, Foresman and Flynn met for approximately 45 minutes.<sup>4880</sup> Although Foresman recalls Flynn doing most of the talking, describing his views on strategic global

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<sup>4873</sup> (U) *Ibid.*

<sup>4874</sup> (U) Email, Foresman to Flaherty, January 5, 2017 (RMF-SCI-00000015). Foresman had an initial interaction with Flynn's assistant, who put him in touch with Flaherty, and who also asked Foresman if "the information you have" could be communicated by email. Email, Atencio to Foresman, January 5, 2017 (RMF-SCI-00000030).

<sup>4875</sup> (U) Email, Foresman to Flaherty, January 5, 2017 (RMF-SCI-00000015).

<sup>4876</sup> (U) *Ibid.*

<sup>4877</sup> (U) *Ibid.*

<sup>4878</sup> (U) Foresman Tr., pp. 164–165.

<sup>4879</sup> (U) *Ibid.*, pp. 164–166.

<sup>4880</sup> (U) Text message, Foresman to J. Cohen, January 6, 2017 (RMF-SCI-00000419); Foresman Tr., pp. 169–170.

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affairs, Foresman presented his memo to Flynn<sup>4881</sup> and made a point to verbally highlight the fact that Flynn should deal with Ushakov, if he wanted to have a direct channel to Putin:

*And I confirmed to him that I have it from someone who had heard directly from Putin—someone that I absolutely trust and is credentialized—that Yuri Ushakov, basically the equivalent of the National Security Advisor, the presidential advisor on foreign policy, despite rumors of retirement, whatever, that he is the guy that would be . . . I remember saying, would be your counterparty, whether before or after inauguration, as you wish. . . . And that I don't have a recollection of him having heard that name, Ushakov, but I put it in the email—I'm sorry—I put it in the memo, but I verbally emphasized that point, unlike the other points, which I didn't verbalize.<sup>4882</sup>*

(U) The Foresman memo made its way from Flynn to Sarah Flaherty, with a sticky note addressed to K.T. McFarland reading, “Re: Russia. For your review [and] discussion,” which Flaherty retained until she produced it to the Committee.<sup>4883</sup> The Committee was unable to determine if Flynn, McFarland or any other members of the Transition Team reviewed the substance of the document.

(U) According to Foresman, by mid-January 2017, he felt his efforts were “losing steam,” and that some Trump affiliates like Bannon and Flynn had stopped being responsive.<sup>4884</sup> He ultimately lost interest himself in joining the administration.<sup>4885</sup>

(U) While Foresman's efforts to serve in the Trump administration seemed sincere, it is also clear that his Russian contacts, including some with direct links to Putin, considered him a potential conduit to the Trump Transition and possibly the administration, if he were to secure a position. However, the Committee lacked sufficient information to determine whether the Russian government specifically directed these contacts to use Foresman as such a channel.

## 5. (U) Michael Flynn

(U) Lieutenant General Michael Flynn joined the Trump Campaign in 2016 as a surrogate and advisor on national security issues. Following the 2016 election, he accepted an offer to become Trump's first National Security Advisor, and continued advising the Transition

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<sup>4881</sup> (U) Foresman Tr., 170–173.

<sup>4882</sup> (U) Foresman Tr., pp. 172–173.

<sup>4883</sup> (U) See Memorandum, Foresman to Flynn (Flaherty Production).

<sup>4884</sup> (U) Foresman Tr., p. 183.

<sup>4885</sup> (U) *Ibid.*, pp. 184–185.

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Team on national security hires prior to the inauguration. Flynn later became President Trump's National Security Advisor.

(U) In 2014, Flynn had retired from military service following a two-year stint as the Director of the Defense Intelligence Agency (DIA), which capped a 33-year career in the United States Army. At the time he joined the Campaign, Flynn had a relationship with Russian officials that he had nurtured from his time in the military. Flynn treated Russian officials collegially, and asked the Russian Government to take official actions that the Transition Team viewed as advantageous to its foreign policy goals, even when they conflicted with Obama administration policy.

(U) Flynn's relationship with Russian officials dated to the later years of his military service, when he served as the DIA Director. After his 2014 retirement, he appeared on RT, a Russian state-directed television channel. Before joining the Trump Campaign, Flynn accepted more than \$45,000 in speaking fees for appearing at the RT gala in Russia. After joining the Transition Team, Flynn communicated several times with the Russian Embassy, in order to convey the foreign policy goals of the incoming Trump administration, including in relation to sanctions. These communications would also come to be a matter Flynn later lied about in interviews with the FBI.

(U) The Committee sought an in-person interview with Flynn, but he declined, asserting his Fifth Amendment rights.<sup>4886</sup> However, Flynn Intel Group, Inc., having no such Fifth Amendment protections, did produce documents to the Committee.

**i. (U) Flynn's Connections to Russia**

(U) The first records of Flynn's ties to Russia date to 2013. In June 2013, Flynn traveled to Moscow at the invitation of then-Major General Igor Sergun,<sup>4887</sup> Russia's chief of military intelligence, or GRU.<sup>4888</sup> Flynn, then the director of DIA, met with GRU officials on a trip that Ambassador Kislyak allegedly also helped to arrange and coordinate.<sup>4889</sup> Flynn has claimed that he was the first DIA Director to be invited to the headquarters of the GRU.<sup>4890</sup> While there, Flynn briefed the GRU staff and presented a professional development class on leadership.<sup>4891</sup>

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<sup>4886</sup> (U) Letter, Kelner, et al. to SSCI, May 12, 2017.

<sup>4887</sup> (U) FBI, FD-302, Flynn 1/24/2017.

<sup>4888</sup> (U) Peter Zwack, "Death of the GRU Commander," *Defense One*, February 1, 2016. Sergun was promoted to Colonel General shortly before his death on January 3, 2016. *Ibid*.

<sup>4889</sup> (U) FBI, FD-302, Flynn 1/24/2017; Greg Miller, et al., "Flynn's swift downfall: From a phone call in the Dominican Republic to a forced resignation at the White House," *The Washington Post*, February 14, 2017.

<sup>4890</sup> (U) FBI, FD-302, Flynn 1/24/2017.

<sup>4891</sup> (U) Dana Priest, "Trump Adviser Michael T. Flynn on his dinner with Putin and why Russia Today is just like CNN," *The Washington Post*, August 15, 2016.

[REDACTED]

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[REDACTED] According to one former U.S. military official, “Flynn thought he developed some rapport with the GRU chief.”<sup>4892</sup>

[REDACTED]

[REDACTED]

(U) On April 30, 2014, Flynn announced his retirement from DIA, and he retired from military service on August 7, 2014.<sup>4899</sup> Flynn requested information on his post-retirement ethics guidelines. On October 8, 2014, DIA sent a letter to Flynn which outlined his emolument restrictions.<sup>4900</sup> Among the restrictions was a requirement that Flynn receive advance authorization before receiving compensation from a foreign government:

*The Emoluments Clause of the U.S. Constitution [in part, as interpreted by the Department of Justice Office of Legal Counsel] prohibits receipt of consulting fees, gifts, travel expenses, honoraria, or salary by all retired military personnel, officer and enlisted, regular and reserve, from a foreign government unless congressional consent is first obtained.*<sup>4901</sup>

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<sup>4892</sup> (U) Greg Miller, et al., “National security advisor Flynn discussed sanctions with Russian ambassador, despite denials, officials say,” *The Washington Post*, February 9, 2017.

<sup>4893</sup> (U) Peter Zwack, “Death of the GRU Commander,” *Defense One*, February 1, 2016.

<sup>4894</sup> [REDACTED]

<sup>4895</sup> (U) *Ibid.*, p. 29.

<sup>4896</sup> (U) *Ibid.*

<sup>4897</sup> (U) Treasury, “Treasury Sanctions Russian Officials, Members Of The Russian Leadership’s Inner Circle And An Entity For Involvement In The Situation In Ukraine,” May 20, 2014.

<sup>4898</sup> [REDACTED]

<sup>4899</sup> (U) Greg Miller and Adam Goldman, “Head of Pentagon Intelligence agency forced out, officials say,” *The Washington Post*, April 30, 2014; Nicholas Schmidle, “Michael Flynn, General Chaos,” *The New Yorker*, February 18, 2017.

<sup>4900</sup> (U) Letter, Kapnisi to Chaffetz and Cummings, April 7, 2017 (available at [oversight.house.gov](http://oversight.house.gov)); Letter, DIA to Flynn, October 8, 2014.

<sup>4901</sup> (U) Letter, DIA to Flynn, October 8, 2014 (emphasis in the original). The Committee is not suggesting here that Flynn’s activity violated the Emoluments Clause.

[REDACTED]

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(U) In January 2015, Flynn signed a contract with Leading Authorities, a speakers' bureau, which promoted his expertise in leadership, cyber, and terrorism.<sup>4902</sup>

(U) On July 31, 2015, Flynn was paid \$11,250 by the U.S. subsidiary of Russian cybersecurity firm Kaspersky Lab and \$11,250 by Russian Charter Cargo airline Volga-Dnepr Airlines. The payments were for two speeches, to be given on August 19 and October 20, 2015.<sup>4903</sup>

(U) In August 2015, Flynn first met Trump. According to press accounts, the meeting lasted approximately 90 minutes.<sup>4904</sup>

(U) Later that month, in an interview with *Der Spiegel*, Flynn called for the United States to cooperate with Russia in the Middle East.<sup>4905</sup> On October 5, 2015, Flynn appeared on RT to discuss international efforts against ISIS. In the interview, Flynn repeatedly criticized the United States' approach to dealing with ISIS, saying that there was no coherent strategy, and noted that Russia had been pursuing ISIS, while suggesting that Russia and the United States work together to confront ISIS.<sup>4906</sup>

**ii. (U) Flynn Attends the December 2015 RT Dinner**

(U) Immediately following Flynn's October 5 interview with RT, a Washington, D.C.-based representative of RT reached out to Flynn's son about a speaking engagement for Flynn at RT's tenth-anniversary celebration, stating that she had "discussed with [the] General an opportunity for him to visit Moscow this coming December as a guest of honor of RT's conference that will mark the 10th anniversary of our news broadcast" and that Flynn "looked very interested in it and asked me to check with you [on] his plans for December."<sup>4907</sup> Flynn's

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<sup>4902</sup> (U) Nicholas Schmidle, "Michael Flynn, General Chaos," *The New Yorker*, February 18, 2017.

<sup>4903</sup> (U) See Agreement for Talent Services, Leading Authorities Inc. and M. T. Flynn, July 30, 2015 (FLYNN\_SSCI\_00007621-7623) (Kaspersky Government Security Solutions); Agreement for Talent Services, Leading Authorities Inc. and M. T. Flynn, July 30, 2015 (FLYNN\_SSCI\_00007624-7627) (Volga-Dnepr Airlines). In a letter to Defense Secretary James Mattis, House Oversight and Government Reform Ranking Member Elijah Cummings inquired whether these undisclosed payments violated DOD's prohibitions on retired military personnel receiving payments or gifts from foreign governments. Letter, Cummings to Mattis, March 16, 2017; see Rosalind Helderman and Tom Hamburger, "Trump adviser Flynn paid by multiple Russia-related entities, new records show," *The Washington Post*, March 16, 2017.

<sup>4904</sup> (U) Dana Priest, "Trump Adviser Michael T. Flynn on his dinner with Putin and why Russia Today is just like CNN," *The Washington Post*, August 15, 2016; Nicholas Schmidle, "Michael Flynn, General Chaos," *The New Yorker*, February 18, 2017.

<sup>4905</sup> (U) Matthias Gebauer and Holger Stark, "Ex-US Intelligence Chief on Islamic State's Rise 'We Were Too Dumb,'" *Der Spiegel*, November 29, 2015.

<sup>4906</sup> (U) YouTube, <https://youtu.be/P4f5m28pmOM>.

<sup>4907</sup> (U) Email, Volokhonovich to M. G. Flynn, October 5, 2015 (FLYNN\_SSCI\_00004737).



[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(U) Flynn traveled to Moscow from December 8–11, 2015, and on December 10, he spoke at the RT tenth-anniversary gala.<sup>4923</sup> He was accompanied on the trip by Michael Flynn Jr.<sup>4924</sup> During the ceremony, Flynn sat with 10 people at the head table, including President Putin and the Kremlin’s top leadership. Two of the Russian attendees at the table were under U.S. sanctions at the time for their role in Russia’s annexation of Crimea: Sergey Ivanov (then

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<sup>4919</sup> (U) SSCI Memorandum, “DIA Documents on LTG Michael Flynn,” May 26, 2017.

<sup>4920</sup> (U) *Ibid.*

<sup>4921</sup> (U) Email, LaPan to McClintock, December 8, 2015 (DIA Production).

<sup>4922</sup> (U) Email, LaPan to Ketter, December 9, 2015 (DIA Production).

<sup>4923</sup> (U) Agenda, Michael Flynn: RT TV – America – 10<sup>th</sup> Anniversary Conference (FLYNN\_SSCI\_00000583–586); Natasha Bertrand, “The timeline of Trump’s ties with Russia lines up with allegations of conspiracy and misconduct,” *Business Insider*, February 11, 2017.

<sup>4924</sup> (U) Michael Isikoff, “Moscow paid \$45,000 for Flynn’s 2015 talk, documents show,” *Yahoo News*, March 16, 2017.

[REDACTED]

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Putin's Chief of Staff), and Alexey Gromov (Putin's Deputy Chief of Staff).<sup>4925</sup> Dmitry Peskov (Putin's spokesman) was also at the table, and when President Putin got up to speak, Flynn sat next to Margarita Simonyan, RT's Editor-in-Chief.<sup>4926</sup> Other attendees at the gala included Jill Stein,<sup>4927</sup> other senior RT officials, Brooklyn Nets owner Mikhail Prokhorov, and the last Communist Party ruler of the U.S.S.R., Mikhail Gorbachev.<sup>4928</sup> Flynn said in an interview that he did not talk to Putin personally, and that he found it "a great learning opportunity" and that one of the things he learned was that "Putin has no respect for United States leadership."<sup>4929</sup>

(U) Flynn was paid \$45,386 (Flynn received \$33,750 with \$11,250 going to the speaker's bureau) for speaking at the event.<sup>4930</sup> RT paid for business class travel and accommodations for Flynn and his son at the luxury Metropol hotel.<sup>4931</sup>

[REDACTED] On January 3, 2016, GRU chief Sergun died of reported heart attack.<sup>4932</sup>  
Flynn reached out to Kislyak to express his condolences on Sergun's death.<sup>4933</sup>  
[REDACTED]

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<sup>4925</sup> (U) Treasury, "Treasury Sanctions Russian Officials, Members Of The Russian Leadership's Inner Circle And An Entity For Involvement In The Situation In Ukraine," May 20, 2014; March 20, 2014; Robert Windrem, "Guess Who Came to Dinner With Flynn and Putin," *NBC NEWS*, April 16, 2017.

<sup>4926</sup> (U) Robert Windrem, "Guess Who Came to Dinner With Flynn and Putin," *NBC NEWS*, April 16, 2017.

<sup>4927</sup> (U) For more information on Jill Stein, *see infra* Vol. 5, Sec. III.L.4.

<sup>4928</sup> (U) *See, e.g.*, Dana Priest, "Trump Adviser Michael T. Flynn on his dinner with Putin and why Russia Today is just like CNN," *The Washington Post*, August 15, 2016;

<sup>4929</sup> (U) *Ibid.*

<sup>4930</sup> (U) Agreement for Talent Services, Leading Authorities Inc. and M. T. Flynn, November 11, 2015 (FLYNN\_SSCI\_0000483-484); Financial records, Leading Authorities Inc., available at [oversight.house.gov](http://oversight.house.gov). Receipts show that Flynn received a payment of \$33,750, while his representatives at Leading Authorities Inc. received \$11,250 in commission.

<sup>4931</sup> (U) Agreement for Talent Services, Leading Authorities Inc. and M. T. Flynn, November 11, 2015 (FLYNN\_SSCI\_0000483-484); Rosalind Helderman and Tom Hamburger, "Trump adviser Flynn paid by multiple Russia-related entities, new records show," *The Washington Post*, March 16, 2017.

<sup>4932</sup> (U) Ivan Nechepurenko, "Igor D. Sergun, Chief of Russian Military Intelligence, Dies at 58," *The New York Times*, January 5, 2016.

<sup>4933</sup> [REDACTED] FBI, FD-302, Flynn 1/24/2017.

<sup>4934</sup> [REDACTED]

<sup>4935</sup> (U) *Ibid.*

<sup>4936</sup> (U) *Ibid.*

[REDACTED]

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[REDACTED] Flynn’s former lawyer has acknowledged that Flynn “[de-]briefed the DIA extensively regarding the RT speaking event trip both before and after the trip.”<sup>4937</sup> [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**iii. (U) Other Flynn Lobbying Activities**

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<sup>4937</sup> (U) Tom LoBianco and Manu Raju, “House oversight committee: Flynn might have broken the law,” *CNN*, April 25, 2017.

<sup>4938</sup> [REDACTED]

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<sup>4940</sup> [REDACTED]

[REDACTED]

<sup>4941</sup> [REDACTED]

<sup>4942</sup> (U) *Ibid.*

<sup>4943</sup> (U) SSCI Memorandum, “DIA Documents on LTG Michael Flynn,” May 26, 2017.

<sup>4944</sup> (U) *Ibid.*

<sup>4945</sup> (U) *Ibid.*

[REDACTED]

[REDACTED]

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(U) On August 9, 2016, Flynn and the Flynn Intel Group signed a contract with Inovo BV, a Dutch company, for \$600,000 over 90 days, allegedly to run an influence campaign aimed at discrediting Fethullah Gulen.<sup>4946</sup> In September 2016, Flynn filed lobbying paperwork disclosing that he would be lobbying on behalf of a client named Inovo BV.<sup>4947</sup> On March 7, 2017, Flynn submitted a Supplemental Statement pursuant to the Foreign Agents Registration Act clarifying that, while Inovo BV was ostensibly a Dutch company, Flynn's work for the company was primarily to advance the interests of Turkey:

*Because of the subject matter of Flynn Intel Group's work for Inovo BV, which focused on Mr. Fethullah Gulen, whose extradition is sought by the Government of Turkey, the engagement could be construed to have principally benefitted the Republic of Turkey. To eliminate any potential doubt, the Flynn Intel Group therefore is electing to file a registration under FARA, in lieu of its prior [Lobbying Disclosure Act] registration.*<sup>4948</sup>

(U) Flynn Intel Group would earn \$530,000 from the contract.<sup>4949</sup> Later reports would link Inovo to Dmitri "David" Zaikin, a Soviet-born former executive in Russian energy and mining companies.<sup>4950</sup>

(U) On September 19, 2016, Flynn attended a meeting in New York, where Kamil Alptekin (Inovo BV's owner) introduced Flynn to Turkish government officials.<sup>4951</sup> One of the Turkish officials at the meeting was allegedly Turkey President Tayyip Erdogan's son-in-law.

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<sup>4946</sup> (U) Fethullah Gulen is a Turkish Islamic leader and the head of the Gulen movement. The Gulen movement has been outlawed in Turkey and labelled an "armed terrorist group." Although once allied with Turkish President Tayyip Erdogan, the two eventually split, and Erdogan accused Gulen (without evidence) of leading an attempted coup against Erdogan's government in 2016. Gulen is currently living in the United States. Ceylan Yeginsu, "Turkey Issues a Warrant for Fethullah Gulen, Cleric Accused of Coup," *The New York Times*, August 4, 2016.

<sup>4947</sup> (U) On September 15, 2016, the Flynn Intel Group filed lobbying paperwork with Congress that only mentioned Inovo BV, but did not clarify that the purpose of the lobbying was for the benefit of the Government of Turkey. Lobbying Registration Pursuant to the Lobbying Disclosure Act of 1995, Flynn Intel Group Inc., September 15, 2016.

<sup>4948</sup> (U) Letter, Kelner to Hunt, March 7, 2017, filed with DOJ NSD/FARA Registration Unit; Registration Statement Pursuant to the Foreign Agents Registration Act of 1938, Flynn Intel Group, Inc., March 7, 2016.

<sup>4949</sup> (U) Supplemental Statement Pursuant to the Foreign Agents Registration Act of 1938, Flynn Intel Group, Inc., March 7, 2017.

<sup>4950</sup> (U) Isaac Arnsdorf, "Flynn's Turkish lobbying linked to Russia," *Politico*, April 25, 2017.

<sup>4951</sup> (U) Supplemental Statement Pursuant to the Foreign Agents Registration Act of 1938, Flynn Intel Group, Inc., March 7, 2017; Nathan Layne, "Exclusive: While advising Trump in 2016, ex-CIA chief proposed plan to discredit Turkish cleric," *Reuters*, October 26, 2017.

[REDACTED]

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The group reportedly discussed kidnapping Gulen to remove him to Turkey, according to a person briefed on the meeting.<sup>4952</sup>

(U) On election day, November 8, 2016, Flynn wrote an op-ed in *The Hill* newspaper in support of Turkey and urging Gulen’s extradition.<sup>4953</sup> Flynn did not disclose that he was under contract with a Dutch company backed by Turkish business interests in the opinion piece.

**iv. (U) Flynn’s Activities During the Transition**

(U) According to press reports, in late November 2016, Marshall Billingslea, who headed the national security team for the Trump Transition team in Washington, met with Obama administration officials in the Situation Room at the White House. In that meeting, Billingslea asked for the CIA profile of Kislyak.<sup>4954</sup> This account was confirmed to the Committee by former Obama administration officials.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] On December 2, 2016, Russian Embassy officer Sergey Kuznetsov emailed Flynn to thank him for responding to the Russian Embassy meeting request and for seeing

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<sup>4952</sup> (U) Isaac Arnsdorf, “Flynn’s Turkish lobbying linked to Russia,” *Politico*, April 25, 2017; James V. Grimaldi, et al., “Ex-CIA Director: Mike Flynn and Turkish Officials Discussed Removal of Erdogan Foe From U.S.,” *The Wall Street Journal*, March 24, 2017.

<sup>4953</sup> (U) Michael T. Flynn, “Our ally Turkey is in crisis and needs our support,” *The Hill*, November 8, 2016.

<sup>4954</sup> (U) Greg Miller and Adam Entous, “Flynn was warned by Trump Transition officials about contacts with Russian ambassador,” *The Washington Post*, May 5, 2017.

<sup>4955</sup> (U) SSCI Transcript of the Interview with Susan Rice, July 21, 2017, p. 64.

<sup>4956</sup> (U) *Ibid.*, pp. 64–65.

[REDACTED]

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Kislyak in New York.<sup>4957</sup> Kuznetsov then asked Flynn if he could meet with Kislyak in Washington, D.C. for lunch or dinner at the ambassador's residence.<sup>4958</sup> A few days later, on December 6, 2016, Kuznetsov emailed Flynn to request a follow-up conversation with Kislyak on the matters discussed in New York.<sup>4959</sup> Kuznetsov also asked Flynn for a direct telephone number.<sup>4960</sup>

[REDACTED]

Later that night, Flynn emailed Kuznetsov, saying, "Yes," and "I tried to call multiple times. Your voicemail is not set up. I will try tomorrow."<sup>4963</sup>

[REDACTED]

Kuznetsov responded to Flynn's email saying, "Thank you. Ambassador was on a meeting last night and couldn't pick up the phone."<sup>4968</sup> Kuznetsov then sent Flynn a second email saying, "if [Kislyak] doesn't pick up the cell phone you can try the office phone."<sup>4969</sup> Kuznetsov then sent Flynn a third email that said, "Ambassador just told me that you actually had a talk last night. He asked me to stay in touch with you to determine the time windows for conversation, as agreed. Looking forward to your reply."<sup>4970</sup>

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<sup>4957</sup> (U) Email, Kuznetsov to Flynn, December 2, 2016 (FLYNN\_SSCI\_00000381). That meeting is discussed *infra* Vol. 5, Sec. III.K.2.ii.

<sup>4958</sup> (U) *Ibid.*

<sup>4959</sup> (U) Email, Kuznetsov to Flynn, December 6, 2016 (TFA0018358).

<sup>4960</sup> (U) *Ibid.*

<sup>4961</sup> [REDACTED]

<sup>4962</sup> (U) *Ibid.*

<sup>4963</sup> (U) Emails, Flynn to Kuznetsov, December 6, 2016 (TFA0018358).

<sup>4964</sup> [REDACTED]

<sup>4965</sup> (U) *Ibid.*

<sup>4966</sup> (U) *Ibid.*

<sup>4967</sup> (U) *Ibid.*

<sup>4968</sup> (U) Email, Kuznetsov to Flynn, December 7, 2016 (TFA0018358).

<sup>4969</sup> (U) Email, Kuznetsov to Flynn, December 7, 2016 (TFA0018411).

<sup>4970</sup> (U) Email, Kuznetsov to Flynn, December 7, 2016 (TFA0018410).

[REDACTED]

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On December 20, 2016, Flynn called the Russian Embassy to talk with Kislyak [REDACTED]<sup>4971</sup> [REDACTED] Flynn said that he had wanted to express his condolences about the assassination of the Russian Ambassador to Ankara.<sup>4972</sup> [REDACTED]<sup>4973</sup>

[REDACTED]

(U) According to Flynn, he exchanged holiday greetings via text message with Kislyak on December 25, 2016. Flynn also said that the two had traded phone calls he described as limited to condolences over the assassination of Russia’s ambassador to Turkey, the downing of a Russian aircraft, and discussions about setting up a phone call between Putin and Trump after the inauguration.<sup>4976</sup>

**v. (U) Israel UNSCR Vote**

(U) After Egypt submitted a United Nations Security Council resolution criticizing Israel’s construction of settlements in Palestinian territories, Trump and his Transition Team engaged in a coordinated effort to try and stop the measure, including extensive outreach to the Russian Government. The effort was unsuccessful, but caused confusion among Security Council member nations because they did not know with whom they should be dealing with regard to American diplomacy; a lame-duck administration, or the incoming one.<sup>4977</sup>

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<sup>4971</sup> (U) Verizon toll records, Flynn, December 22, 2016 (FLYNN\_SSCI\_00000042 [REDACTED])

<sup>4974</sup> (U) *Ibid.*, p. 35.

<sup>4975</sup> (U) *Ibid.*

<sup>4976</sup> (U) FBI, FD-302, Flynn 1/24/2017; Text Messages, Flynn and Flaherty, January 13, 2017 (SF\_SSCI000006–9); see also Greg Miller, et al., “Flynn’s swift downfall: From a phone call in the Dominican Republic to a forced resignation at the White House,” *The Washington Post*, February 14, 2017.

<sup>4977</sup> (U) In an interview with the Committee, Samantha Power, the United States Ambassador to the United Nations at the time, said that, “It was very disconcerting and really as a citizen I urge it never to happen again that you put foreign governments in a position where they don’t know—report they are forum-shopping between a current President and a future President, because that’s what started to happen. . . . But more than that, policies were being introduced through the back door and piecemeal and without being properly developed, at a time that was just confusing our friends. It felt like a very unstable period, because unity of command is essential.” SSCI Transcript of the Interview with Samantha Power, July 28, 2017, pp. 58–59.

[REDACTED]

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(U) On December 21, 2016, Egypt introduced a resolution to the United Nations Security Council calling for the cessation of Israeli settlements in Palestinian territory, and reaffirming that the settlements already constructed by Israel had “no legal validity, [and constitute] a flagrant violation under international law and a major obstacle to the achievement of the two-State solution.”<sup>4978</sup> The Security Council planned a vote for the next day, December 22, 2016. Trump took to Twitter and Facebook to voice his opposition to the measure, and the members of his Transition Team likewise began planning to try and either delay or stop the vote, or to convince another country to veto the resolution.<sup>4979</sup>

(U) Asked about a phone call he made to Flynn regarding the resolution on the morning of December 22, Kushner told the Committee:

*I remember during that time we were very focused on the U.N. resolution. . . . I remember being on one of the planes and thinking that Egypt had pulled the resolution, which we thought was a good thing. It was a disaster of a resolution. And so we probably were talking about that. . . . I remember we were trying to figure out if we should reach out to Russia or who should reach out to Russia. But like I said, we didn't know who to coordinate with that could actually be effective on it, which again, hopefully, goes to show that we did not collude with them during the campaign. So we didn't know who to call.*<sup>4980</sup>

(U) According to Kushner, he assigned both foreign policy and senior leadership of the Transition Team to work the phones to try and convince other countries to oppose the resolution.

*I remember I was talking to Flynn. I was talking to Nikki Haley. I was talking to Rex Tillerson. I was talking to Reince Priebus. I was talking to Steve Bannon. And we were all making phone calls trying to do everything we could. But keep in mind, again, we were a little disorganized and we also were trying to figure out how to stop something without having the context to really properly do it. So we were just trying to figure it out as quickly as we could.*<sup>4981</sup>

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<sup>4978</sup> (U) United Nations Security Council Resolution 2334, adopted December 23, 2016.

<sup>4979</sup> (U) Twitter, @realDonaldTrump, December 22, 2016; Facebook post, Donald Trump, December 22, 2016; *SCO Report*, Vol. I, p. 168; Kate O’Keefe and Farnaz Fassihi, “Inside the Trump Team’s Push on Israel Vote That Mike Flynn Lied About,” *The Wall Street Journal*, January 5, 2018.

<sup>4980</sup> (U) Kushner Tr. II, p. 144; see Verizon toll records, Flynn, December 22, 2016 (FLYNN SSCI 00000042).

<sup>4981</sup> (U) *Ibid.*, p. 145.

[REDACTED]

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[REDACTED] Following Kushner’s call, and at his direction, Flynn then contacted Kislyak’s office and asked to speak with the ambassador.<sup>4982</sup> [REDACTED]

[REDACTED]

(U) About nine minutes after talking with Kushner, Flynn reached Kislyak on his (Kislyak’s) cell phone.<sup>4986</sup> The conversation focused on two topics: informing the Ambassador of the incoming administration’s opposition to the resolution, and requesting that Russia intervene and veto the resolution.<sup>4987</sup>

(U) Also on December 22, Trump contacted Egyptian President Abdel Fattah al-Sisi to discuss the resolution with him.<sup>4988</sup>

[REDACTED] On December 23, Flynn contacted Kislyak’s office again [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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<sup>4982</sup> (U) Verizon toll records, Flynn, December 22, 2016 (FLYNN SSCI 00000042); Statement of Offense, *United States v. Michael T. Flynn*, No. 1:17-cr-232 (D.D.C. December 1, 2017) (“Flynn Statement of Offense”).

<sup>4983</sup> (U) [REDACTED] Verizon toll records, Flynn, December 22, 2016 (FLYNN SSCI 00000042).

<sup>4984</sup> [REDACTED]

<sup>4985</sup> (U) *Ibid.*

<sup>4986</sup> (U) Verizon toll records, Flynn, December 22, 2016 (FLYNN\_SSCI\_00000042).

<sup>4987</sup> (U) *Flynn Statement of Offense* ¶ 4(c).

<sup>4988</sup> (U) *SCO Report*, Vol. I, p. 168.

<sup>4989</sup> (U) Verizon toll records, Flynn, December 23, 2016 (FLYNN\_SSCI\_00000043); [REDACTED]

<sup>4990</sup> [REDACTED]

<sup>4991</sup> (U) *Ibid.*

<sup>4992</sup> (U) *Ibid.*

<sup>4993</sup> (U) *Ibid.*

<sup>4994</sup> (U) *Ibid.*

(U) On December 23, following a call between Trump and Egyptian President al-Sisi, Egypt agreed to seek a delay in a vote on the resolution. Explaining Egypt's decision, an al-Sisi spokesman said that Egyptian President al-Sisi had spoken with Trump, and agreed to wait to call for a vote until Trump had been sworn in:

*During the call, they discussed regional affairs and developments in the Middle East, and in that context the draft resolution in front of the Security Council on Israeli settlement. . . . The presidents agreed on the importance of affording the new US administration the full chance to deal with all dimensions of the Palestinian case with a view of achieving a full and final settlement.*<sup>5003</sup>

(U) In spite of the efforts made by the Transition Team, on December 23, 2016, Malaysia, New Zealand, Senegal, and Venezuela resurrected the resolution and sought a vote.<sup>5004</sup> The Transition Team continued to try and convince Security Council members to oppose the resolution, including at least two calls that day from Flynn to Kislyak.<sup>5005</sup> Ultimately, Flynn was

<sup>4995</sup> (U) *Ibid.*

<sup>4996</sup> (U) *Ibid.*, pp. 36–37.

<sup>4997</sup> (U) *Ibid.*, p. 37.

<sup>4998</sup> (U) *Ibid.*

<sup>4999</sup> (U) *Ibid.*

<sup>5000</sup> (U) *Ibid.*; Flynn Statement of Offense ¶ 4.

<sup>5001</sup> (U) *Ibid.*

<sup>5002</sup> (U) *Ibid.*, pp. 35–37. According to FBI records of Flynn's January 24, 2017 interview with the FBI, "The interviewing agents asked Flynn if he made any request of Kislyak to vote in a particular way or take any action. Flynn stated that he did not. . . . The interviewing agents asked Flynn if he made any comment to Kislyak about voting in a certain manner, or slowing down the vote, or if Kislyak described any Russian response to a request by Flynn. Flynn answered, 'No.'" FBI, FD-302, Flynn 1/24/2017.

<sup>5003</sup> (U) "Egypt: Trump convinced Sisi to withdraw UN resolution," *Al Jazeera*, December 23, 2016.

<sup>5004</sup> (U) Somini Sengupta and Rick Gladstone, "Rebuffing Israel, U.S. Allows Censure Over Settlements," *New York Times*, December 23, 2016.

<sup>5005</sup> (U) Verizon toll records, Flynn, December 23 (FLYNN\_SSCI\_00000043–44).

[REDACTED]

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informed by Kislyak that Russia would support the resolution, and not veto it.<sup>5006</sup> The resolution passed 14-0 that day, with the United States abstaining.<sup>5007</sup> After passage of the resolution, Trump expressed his disapproval, and signaled that his administration would take a different approach to the United Nations.<sup>5008</sup>

**vi. (U) U.S. Sanctions Against Russia**

(U) On December 28, 2016, President Obama signed an executive order imposing sanctions on nine Russian individuals and entities as a result of Russia's interference in the 2016 presidential election.<sup>5009</sup> Although the sanctions would not be announced until the following day, media outlets began reporting that the sanctions were forthcoming. That day Kislyak tried to reach Flynn by text, and asked Flynn to call him.<sup>5010</sup> Flynn was on vacation at the time in the Dominican Republic and said he did not receive the text until 24 hours later.<sup>5011</sup> The Russian Embassy attempted to call him the next morning, but Flynn did not answer the call.<sup>5012</sup>

(U) Flynn and McFarland spoke by phone that day, discussing whether the Obama administration had political motives in levying sanctions, and whether it was part of an effort to discredit Trump's victory. Flynn mentioned that he planned to call Kislyak, but McFarland thought it would be a routine call.<sup>5013</sup>

(U) In the meantime, the Russian Foreign Ministry released a tweet<sup>5014</sup> and a statement that included a denial of Russian involvement in the 2016 presidential election, misinformation about the hacking of election infrastructure in the state of Georgia, and indicating that Russia planned to respond in-kind to U.S. actions:

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<sup>5006</sup> (U) *Flynn Statement of Offense ¶ 4(d)*.

<sup>5007</sup> (U) United Nations Security Council Resolution 2334, adopted December 23, 2016.

<sup>5008</sup> (U) Tweets, @realDonaldTrump, December 23, 24, 26, and 28, 2016.

<sup>5009</sup> (U) Executive Order 13757, "Taking Additional Steps to Address the National Emergency with Respect to Significant Malicious Cyber-Enabled Activities," December 28, 2016.

<sup>5010</sup> (U) FBI, FD-302, Flynn 1/24/2017. According to the *SCO Report*, Kislyak texted Flynn, "can you kindly call me back at your convenience." *SCO Report*, Vol. I, p. 169.

<sup>5011</sup> (U) *SCO Report*, Vol. I, p. 169; FBI, FD-302, Flynn 1/24/2017; Greg Miller, et al., "Flynn's swift downfall: From a phone call in the Dominican Republic to a forced resignation at the White House," *The Washington Post*, February 14, 2017.

<sup>5012</sup> (U) *SCO Report*, Vol. I, p. 169.

<sup>5013</sup> (U) FBI, FD-302, McFarland 12/22/2017. McFarland also conveyed the general topic of the call with the Committee, but based on conversations with the White House, refused to discuss any details in order to permit the White House an opportunity to assert executive privilege during the Transition. McFarland Tr., pp. 162–165, 170. Phone records reflect a 43-minute call from Flynn to McFarland. Verizon toll records, Flynn, December 28, 2016 (FLYNN\_SSCI\_0000052); Verizon toll records, Simmons, December 28, 2016 (KTMF\_SSCI\_00000141). McFarland has said that she learned of the sanctions from the press and was not notified ahead of time. *Ibid*.

<sup>5014</sup> (U) Tweet, @RusEmbUSA, December 29, 2016.

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*Frankly speaking, we are tired of lies about Russian hackers that continue to be spread in the United States from the very top. The Obama administration launched this misinformation half a year ago in a bid to play up to the required nominee at the November presidential election and, having failed to achieve the desired effect, has been trying to justify its failure by taking it out with a vengeance on Russian-US relations.*

*However, the truth about the White House-orchestrated provocation is bound to surface sooner or later. In fact, this is already happening. On December 8, US media quoted Georgia's Secretary of State Brian Kemp as saying that the local authorities tracked down the origin of a hacker attack on his voter registration database after the election. The attack was traced to an IP address of the Department of Homeland Security. This was followed by an attempt to quickly cover up this information by a flood of new anti-Russian accusations that did not contain a single piece of evidence.*

*We can only add that if Washington takes new hostile steps, it will receive an answer. This applies to any actions against Russian diplomatic missions in the United States, which will immediately backfire at US diplomats in Russia. The Obama administration probably does not care at all about the future of bilateral relations, but history will hardly forgive it for this après-nous-le-deluge attitude.<sup>5015</sup>*

(U) The following day, December 29, the Obama administration announced the sanctions, and expelled and declared *persona non grata* 35 Russian officials. The administration also closed two Russian diplomatic compounds in the United States.<sup>5016</sup>

(U) That afternoon, Transition Team officials began discussing amongst themselves how the sanctions would impact the incoming administration's relationship with Russia.<sup>5017</sup> During this time, McFarland's assistant, Sarah Flaherty, texted Flynn a link to a *New York Times* article discussing the sanctions.<sup>5018</sup> McFarland also tried to call Flynn, but did not reach him.<sup>5019</sup> McFarland then discussed the sanctions with Bannon, who assessed that the sanctions would

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<sup>5015</sup> (U) Ministry of Foreign Affairs of the Russian Federation, "Comment by Foreign Ministry Spokesperson Maria Zakharova on new threats of sanctions from the United States," Mid.ru, December 28, 2016 (emphasis added).

<sup>5016</sup> (U) White House, "Statement by the President on Actions in Response to Russian Malicious Cyber Activity and Harassment," December 29, 2016; *SCO Report*, Vol. I, pp. 168–169; Missy Ryan, et al., "Obama administration announces measures to punish Russia of 2016 election interference," *The Washington Post*, December 29, 2016.

<sup>5017</sup> (U) *SCO Report*, Vol. I, p. 169.

<sup>5018</sup> (U) Text Message, Flaherty to Flynn, December 29, 2016 (SF-SSCI-000001).

<sup>5019</sup> (U) *SCO Report*, Vol. I, p. 170.

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prevent the Trump administration from improving relations with Russia, and would lead to a retaliatory and possibly escalatory response from Russia.<sup>5020</sup>

(U) According to McFarland, Bannon also indicated he was aware that Flynn planned to call Kislyak.<sup>5021</sup> However, in testimony to the Committee, Bannon said he did not recall knowing about Flynn's plans to call Kislyak.<sup>5022</sup>

(U) McFarland told the SCO that she believed that she told both Bannon and Priebus that Flynn was scheduled to talk with Kislyak that night.<sup>5023</sup> Later that afternoon, Flynn texted Sarah Flaherty, asking if she had "Time for a call???"<sup>5024</sup> Flaherty responded that McFarland was talking with another Transition Team member, after which Flynn to responded, "Tit for tat w[ith] Russia [is] not good. Russian [Ambassador is] reaching out to me today."<sup>5025</sup>

(U) Flynn delayed his conversation with the Ambassador until he had an opportunity to speak to the Transition Team.<sup>5026</sup> He eventually spoke with McFarland at around 4:00 p.m., discussing with her what message he should share with the Russian Ambassador.<sup>5027</sup> McFarland and Flynn spoke generally about their concerns about Russian aggression. The discussion included the impact of the sanctions on the incoming Trump administration's foreign policy goals, and the desire that Russia not escalate the situation through counter sanctions and exile of U.S. diplomats.<sup>5028</sup> They agreed that Flynn should pass that message along in hopes of avoiding an escalating confrontation.<sup>5029</sup> Flynn told McFarland he would "feel out" Kislyak on sanctions to see if sanctions would derail the possibility of a new relationship between the United States and Russia. McFarland does not remember if she relayed her conversation with Bannon to Flynn. McFarland wanted Flynn to report back on the next call with Kislyak.<sup>5030</sup>

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<sup>5020</sup> (U) McFarland Tr., p. 212; *SCO Report*, Vol. I, pp. 169–170; FBI, FD-302, McFarland 12/22/2017.

<sup>5021</sup> (U) FBI, FD-302, McFarland 12/22/2017.

<sup>5022</sup> (U) Bannon Tr., p. 414.

<sup>5023</sup> (U) *SCO Report*, Vol. I, p. 170.

<sup>5024</sup> (U) Text Message, Flaherty to Flynn, December 29, 2016 (SF-SSCI-000001).

<sup>5025</sup> (U) Text Message, Flynn to Flaherty, December 29, 2016 (SF-SSCI-000001).

<sup>5026</sup> (U) *SCO Report*, Vol. I, p. 170.

<sup>5027</sup> (U) *Ibid.* Flynn and McFarland traded several calls, and connected once for seven minutes and once for 28 minutes. See Verizon toll records, Flynn, December 29, 2016 (FLYNN\_SSCI\_0000052); Verizon toll records, Simmons, December 29, 2016 (KTMF\_SSCI\_00000141).

<sup>5028</sup> (U) *SCO Report*, Vol. I, p. 170; McFarland Tr., pp. 181–183. In her testimony to the Committee, McFarland said that, "I'm not sure that the word 'sanctions' was used, but the implication was sanctions." McFarland Tr., pp. 182–183.

<sup>5029</sup> (U) *SCO Report*, Vol. I, p. 170.

<sup>5030</sup> (U) FBI, FD-302, McFarland 12/22/2017.

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(U) Meanwhile, throughout the day, the Russian Embassy in the United States continued to threaten retaliation in a series of tweets.<sup>5031</sup>

(U) On December 29, 2016, after speaking with McFarland, Flynn called Kislyak and discussed multiple issues, including the sanctions. As to sanctions, Flynn asked that Russia not escalate the situation, and to instead respond in a reciprocal manner in order to avoid a “tit for tat.”<sup>5032</sup>

(U) McFarland had notified several Transition Team members about Flynn’s planned call with Kislyak. She first emailed several Transition Team officials to inform them that “Gen Flynn is talking to [the] Russian ambassador this evening.”<sup>5033</sup> She later briefed Trump, along with multiple senior Transition Team officials, including Bannon, Priebus, and Sean Spicer.<sup>5034</sup> During the meeting, Trump asked whether Russia interfered with the 2016 election, and McFarland said that it had.<sup>5035</sup> In discussing the sanctions, McFarland informed Trump that Russia’s response to the sanctions would be an indicator of the type of relationship Russia wanted to have with the incoming administration.<sup>5036</sup> McFarland also recalled that at the end of the meeting, it might have been mentioned that Flynn was going to speak to Kislyak that evening.<sup>5037</sup>

(U) At 6:08 p.m., after the Kislyak call and Trump’s briefing had taken place, Flynn called McFarland to tell her that he had talked to the Russian Ambassador, informing McFarland

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<sup>5031</sup> (U) Tweets, @RusEmbUSA, December 29, 2016.

<sup>5032</sup> (U) *SCO Report*, Vol. I, p. 171. According to FBI notes of their January 24, 2017 interview of Flynn: “The interviewing agents asked Flynn if he recalled any conversation with Kislyak surrounding the expulsion of Russian diplomats or closing of Russian properties in response to Russian hacking activities surrounding the election. Flynn stated that he did not. Flynn reiterated his conversation was about the Putin/Trump [video teleconference] and the ‘Astana thing’ [a counterterrorism conference to be held in Kazakhstan in January 2017.] Flynn noted he was not aware of the then-upcoming actions. . . . The interviewing agents asked Flynn if he recalled any conversation with Kislyak in which the expulsions were discussed, where Flynn might have encouraged Kislyak not to escalate the situation, to keep the Russian response reciprocal, or not to engage in a ‘tit-for-tat.’ Flynn responded, ‘Not really. I don’t remember. It wasn’t, ‘Don’t do anything.’” FBI, FD-302, Flynn 2/15/2017. Flynn conveyed a similar set of topics by email to Transition officials the following day, but not mentioning sanctions. See Email, Flaherty to McFarland, Kushner, S. Miller, Bannon, Priebus, Flynn, and Kellogg, December 30, 2016 (NSSCI00000114) (forwarding email from Flynn). Flynn added that he knew Kislyak from “previous engagements” and that he and Kushner had met with Kislyak the prior month in Trump Tower. *Ibid.*

<sup>5033</sup> (U) *SCO Report*, Vol. I, p. 171.

<sup>5034</sup> (U) McFarland Tr., p. 60; *SCO Report*, Vol. I, p. 171.

<sup>5035</sup> (U) *SCO Report*, Vol. I, p. 171.

<sup>5036</sup> (U) *Ibid.*

<sup>5037</sup> (U) *Ibid.* Despite being in the room for this discussion, Spicer repeatedly told the press that the issue of sanctions was not raised by Flynn in his conversation with Kislyak. Glenn Kessler, “The fall of Michael Flynn: A timeline,” *The Washington Post*, February 15, 2017.

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that “I think we are going to be ok.”<sup>5038</sup> McFarland recalled that Flynn told her that the Russian response to the sanctions would not be escalatory because they wanted a good relationship with the incoming Trump administration.<sup>5039</sup>

(U) Nonetheless, Russia’s public threats of retaliation against the United States continued throughout the evening of December 29,<sup>5040</sup> and continued until December 30, 2016, when, at 5:32 a.m. Washington time, Russia’s Foreign Minister Sergey Lavrov released a statement saying:

*The US administration announced a new series of sanctions against the Russian Federation yesterday without providing any facts or other evidence.*

*We will definitely respond to these actions. Reciprocity is a basic tenet of international diplomacy and international relations. Therefore, the Russian Foreign Ministry and colleagues from other agencies have submitted a proposal to the President of Russia to declare “persona non grata” 31 diplomats from the US Embassy in Moscow and four diplomats from the US Consulate General in St Petersburg. Furthermore, we have proposed shutting down the US dacha (recreation facility) in Serebryanny Bor and the US Embassy warehouse on Dorozhnaya Street. We hope these proposals will be considered as a priority.*<sup>5041</sup>

(U) However, two hours later, President Putin released a statement reversing that decision. Putin’s statement made clear that steps against U.S. interests would not be taken, and that Russia planned to wait until the incoming Trump administration took office to try and restore relations with the United States.<sup>5042</sup>

*We regard the recent unfriendly steps taken by the outgoing US administration as provocative and aimed at further weakening the Russia-US relationship. This runs contrary to the fundamental interests of both the Russian and American people. Considering the global security responsibilities of Russia and the United States, this is also damaging to international relations as a whole.*

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<sup>5038</sup> (U) FBI, FD-302, McFarland 12/22/2017; Verizon toll records, Flynn, December 29 (FLYNN SSCI 00000052); Verizon toll records, McFarland, December 29 (KTMF SSCI\_00000141).

<sup>5039</sup> (U) *SCO Report*, Vol. I, p. 172.

<sup>5040</sup> (U) Tweets, @RusEmbUSA, December 29, 2016.

<sup>5041</sup> (U) Mid.ru, “Comment by Foreign Minister Sergey Lavrov on recent US sanctions and the expulsion of Russian diplomats, Moscow, December 30, 2016,” Ministry of Foreign Affairs of the Russian Federation, December 30, 2016.

<sup>5042</sup> (U) Tweet, @mfa\_russia, December 30, 2016.

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*As it proceeds from international practice, Russia has reasons to respond in kind. Although we have the right to retaliate, we will not resort to irresponsible 'kitchen' diplomacy but will plan our further steps to restore Russian-US relations based on the policies of the Trump Administration.*

*The diplomats who are returning to Russia will spend the New Year's holidays with their families and friends. We will not create any problems for US diplomats. We will not expel anyone. We will not prevent their families and children from using their traditional leisure sites during the New Year's holidays.*<sup>5043</sup>

(U) Later that day, Trump tweeted his approval of Putin's decision, saying, "Great move on delay (by V. Putin)—I always knew he was very smart!"<sup>5044</sup>

(U) On December 31, Kislyak called Flynn to credit Flynn with avoiding a reciprocal response from Russia. Kislyak said that Flynn's request that Russia not respond in kind had been passed to senior Russian officials, and they had decided not to take action at the time.<sup>5045</sup>

(U) That same day, in a phone call, McFarland told Flynn that she was surprised by Putin's non-escalation after the sanctions, and told Flynn that the "four amigos" (i.e., Admiral Rogers, Director Brennan, Director Comey, and Director Clapper) would be briefing Trump on Russia. Flynn commented that Russia wanted a better relationship with the United States, and that the relationship was back on track.<sup>5046</sup> Flynn commented that the four properties seized by the United States from Russia could have been platforms for spying.<sup>5047</sup>

(U) In an interview with the FBI, McFarland initially said that Flynn did not tell her anything about his December 31 call with Kislyak. However, she later corrected her statement to say that Flynn did talk to her about Kislyak and told her that the "relationship is back on track" and that they had a good call; Flynn seemed to think that his phone call had made a difference.<sup>5048</sup>

**vii. (U) Scrutiny of Flynn's Ties to Russia**

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<sup>5043</sup> (U) Kremlin.ru, "Statement by the President of Russia," President of Russia, December 30, 2016.

<sup>5044</sup> (U) Tweet, @realDonaldTrump, December 30, 2016.

<sup>5045</sup> (U) Despite this backchannel diplomacy, in July 2017, Russia would expel hundreds of U.S. diplomatic personnel, and close two U.S. facilities in Russia.

<sup>5046</sup> (U) *SCO Report*, Vol. I, p. 172.

<sup>5047</sup> (U) FBI, FD-302, McFarland 12/22/2017.

<sup>5048</sup> (U) *Ibid*.

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(U) Flynn’s relationship with Russian leaders continued to face scrutiny by both the press and the U.S. Government. His lack of candor in addressing questions about his communications with Russian officials led to his short tenure as National Security Advisor, and his eventual guilty plea in December 2017 to making false statements to the FBI.

(U) On January 22, 2017, Vice-President Mike Pence swore Flynn in as the National Security Advisor.<sup>5049</sup> Two days later, on January 24, 2016, the FBI interviewed Flynn about his contacts with foreign officials during his time with the Transition.<sup>5050</sup> During that voluntary interview, Flynn provided false statements about his interactions with Russia:

*During the interview, FLYNN falsely stated that he did not ask Russia’s Ambassador to the United States (“Russian Ambassador”) to refrain from escalating the situation in response to sanctions that the United States had imposed against Russia. FLYNN also falsely stated that he did not remember a follow-up conversation in which the Russian Ambassador stated that Russia had chosen to moderate its response to those sanctions as a result of FLYNN’s request. . . .*

*FLYNN also made additional false statements about calls he made to Russia and several other countries regarding a resolution submitted by Egypt to the United Nations Security Council on December 21, 2016. Specifically, FLYNN falsely stated that he only asked the countries’ positions on the vote, and that he did not request that any of the countries take a particular action on the resolution. FLYNN also falsely stated that the Russian Ambassador never described to him Russia’s response to FLYNN’s request regarding the resolution.<sup>5051</sup>*

(U) Knowing that Flynn continued to lie to White House officials and now the FBI about his contacts with foreign officials, Acting Attorney General Sally Yates informed White House Counsel Don McGahn on January 26, 2017, that Flynn’s lack of honesty about his interactions with Russian officials put Flynn at risk of compromise by Russia.<sup>5052</sup>

[REDACTED]

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<sup>5049</sup> (U) David Nakamura, “Trump, Pence preside over East Room ceremony to swear in senior staff,” *The Washington Post*, January 22, 2017.

<sup>5050</sup> (U) Flynn Statement of Offense.

<sup>5051</sup> (U) *Ibid.*, pp. 3–4.

<sup>5052</sup> (U) Adam Entous, et al., “Justice Department warned White House that Flynn could be vulnerable to Russian blackmail, officials say,” *The Washington Post*, February 13, 2017. Yates was fired on January 30, 2017, from her role as Acting Attorney General for refusing to defend the President’s executive order on refugees. Evan Perez and Jeremy Diamond, “Trump Fires acting AG after she declines to defend travel ban,” *CNN*, January 31, 2017.

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(U) On February 9, 2017, *The Washington Post* reported that the transcript of Flynn’s calls showed that he had discussed sanctions, in spite of the repeated denials by Flynn and White House officials.<sup>5056</sup> While Flynn initially denied that he had discussed sanctions in an interview with *The Washington Post*, he later amended his position, indicating through a spokesman that “while he had no recollection of discussing sanctions, he couldn’t be certain that the topic never came up.”<sup>5057</sup> In the same article, Ambassador Kislyak suggested that he had been in contact with Flynn since before the election, but declined to answer any questions about the subjects they discussed.<sup>5058</sup>

(U) On February 13, 2017, Senior Counselor to the President Kellyanne Conway said during a television appearance that the President maintained “full confidence” in Flynn.<sup>5059</sup> That same day, Flynn phoned a reporter for the *Daily Caller* to say the President “expressed confidence” in him and urged him to “go out and talk more.”<sup>5060</sup> Flynn said he did not violate the law, and that “[i]f I did, believe me, the FBI would be down my throat, my clearances would be pulled. . . . There were no lines crossed.”<sup>5061</sup> However, later that day, *The Washington Post* broke the story of Yates’s January 26, 2017, warning to the White House that Flynn was potentially compromised by Russia.<sup>5062</sup> Later that night, Flynn submitted his resignation letter,

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<sup>5053</sup> (U) SSCI Transcript of the Interview with Sally Caroline Yates, August 15, 2017, p. 49. Yates defined compromise as, “whether or not the Russians have information that they could use as leverage over you to get you to do things they want you to do or to prevent you from doing things they don’t want you to do.” *Ibid.*

<sup>5054</sup> (U) *Ibid.*, pp. 52–56.

<sup>5055</sup> (U) SSCI Transcript of the Closed Hearing, Testimony of James Comey, June 8, 2017, p. 26.

<sup>5056</sup> (U) Greg Miller, et al., “National security advisor Flynn discussed sanctions with Russian ambassador, despite denials, officials say,” *The Washington Post*, February 9, 2017.

<sup>5057</sup> (U) *Ibid.*

<sup>5058</sup> (U) *Ibid.*

<sup>5059</sup> (U) Steve Kornacki, “Conway: Flynn has ‘full confidence’ of Trump,” *MSNBC*, February 13, 2017.

<sup>5060</sup> (U) Richard Pollock, “EXCLUSIVE: In Final Interview, Defiant Flynn Insists He Crossed No Lines, Leakers Must Be Prosecuted,” *The Daily Caller*, February 14, 2017.

<sup>5061</sup> (U) *Ibid.*

<sup>5062</sup> (U) Adam Entous, et al., “Justice Department warned White House that Flynn could be vulnerable to Russian blackmail, officials say,” *The Washington Post*, February 13, 2017.

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saying he “inadvertently briefed the Vice President Elect . . . with incomplete information regarding my phone calls with the Russian Ambassador.”<sup>5063</sup>

(U) In February and June 2017, former FBI Director Comey told the Committee that there had been a counterintelligence investigation into Flynn that he (Comey) had been close to closing, until information about the phone calls to Kislyak came to light.<sup>5064</sup>

*We had a case open on Mike Flynn starting in the summertime [2016], a counterintelligence case. I was about to close it in late December because we had found nothing, after extensively looking, about any contacts between Flynn and the Russians, except the ones you’ve seen in the media. He went and gave a speech for RT and when he was director of DIA he went and did a meeting at the GRU. Our folks had looked hard and had found nothing. I was about to close the Flynn case when these calls were brought to our attention. This obviously gave us a reason to try to understand, is there something about him that we’re missing.*

(U) On May 17, 2017, Deputy Attorney General Rosenstein issued an order appointing a Special Counsel to investigate issues related to Russian interference in the 2016 presidential election.<sup>5065</sup> On August 17, 2017, in his capacity as then Acting Attorney General, Rosenstein sent the Special Counsel a memo clarifying the scope of the investigation.<sup>5066</sup> In that memo, Rosenstein noted that Mueller had the authority to investigate the following:

*Allegations that Michael Flynn:*

- *Committed a crime or crimes by engaging in conversations with Russian government officials during the period of the Trump transition;*
- *Committed a crime or crimes by making false statements to the FBI when interviewed about his contacts with the Russian government;*
- *Committed a crime or crimes by failing to report foreign contacts and income on a Form SF-86 that he completed in anticipation of his being selected to serve as the National Security Advisor to President Trump;*

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<sup>5063</sup> (U) “Read Michael T Flynn’s resignation letter,” *CNN*, February 14, 2017

<sup>5064</sup> (U) SSCI Transcript of the Closed Hearing, Testimony of James Comey, February 17, 2017, p. 46; SSCI Transcript of the Closed Hearing, Testimony of James Comey, June 8, 2017, p. 34.

<sup>5065</sup> (U) Memorandum, “Re: The Scope of Investigation and Definition of Authority,” Rod Rosenstein, August 2, 2017

<sup>5066</sup> (U) *Ibid.*

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- *Committed a crime or crimes by acting as an unregistered agent for the government of Turkey.*<sup>5067</sup>

(U) On December 1, 2017, Flynn pleaded guilty to providing false statements to the FBI, and providing false information and omissions on his registration with the Justice Department as an agent of a foreign government in March 2017.<sup>5068</sup>

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<sup>5067</sup> (U) *Ibid.*

<sup>5068</sup> (U) *Flynn Statement of Offense.*

**L. (U) Other Incidents and Persons of Interest**

**1. (U) Peter W. Smith**

**i. (U) Introduction and Findings**

(U) Several efforts by individuals connected to the Trump Campaign to locate and obtain “missing” emails<sup>5069</sup> belonging to Hillary Clinton took place during the 2016 presidential election. One of these efforts was initiated by Peter W. Smith, a now-deceased businessman and Republican operative, while another involved Barbara Ledeen, a Republican Senate staffer whose husband had co-authored a book with Lieutenant General Michael Flynn. Smith told associates that his effort involved meetings with Russian hackers who claimed to have access to the emails. The Committee examined Smith’s initiative,<sup>5070</sup> any potential relationship to Russian election interference, and its connections to the Trump Campaign. The Committee was hampered in these efforts by its inability to interview Smith, who committed suicide on May 14, 2017, and Flynn, who was in touch with Smith but asserted his Fifth Amendment rights.<sup>5071</sup>

(U) The Committee found that Smith’s activities were known to some Campaign officials, including Flynn and Sam Clovis, and connected to the Campaign’s focus on obtaining Clinton’s “missing” emails. Although Smith claimed he had been in touch with Russian hackers who had located these materials (and also sought to connect with WikiLeaks), the Committee did not identify evidence to corroborate Smith’s claims that he had access to any Clinton emails or communicated successfully with Russian hackers or WikiLeaks about his initiative.

**ii. (U) Efforts to Find the “Missing” Emails**

(U) During the summer of 2016, following the Democratic National Convention and the July 22 WikiLeaks release of DNC documents, Trump renewed attention on Clinton’s emails. Within the Campaign, Trump expressed frustration that the emails had not been located.<sup>5072</sup> Trump repeatedly asked individuals affiliated with the Campaign, including Flynn, to find the

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<sup>5069</sup> (U) The “missing” Clinton emails were used as a short-hand reference to emails maintained on Hillary Clinton’s personal server that were deleted and not produced in response to subpoenas because deemed personal and non-responsive.

<sup>5070</sup> (U) The Committee did not delve into Ledeen’s activities, but encountered information concerning Ledeen when pertinent to Smith’s activities, as noted *infra*. In addition, the Committee did not investigate activity by Flynn’s son, Michael G. Flynn, who was also in contact with Smith about Smith’s effort.

<sup>5071</sup> (U) The Committee received a limited document production from Smith’s estate, along with a copy of his computer’s hard drive. Productions from other witnesses, in particular individuals who worked with Smith on his email initiative and had relevant copies of his communications, helped to supplement that information.

<sup>5072</sup> (U) *SCO Report*, Vol. I, p. 62.

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emails. Flynn said he could “use his intelligence sources” to obtain them, and Flynn reached out to multiple people based on that directive, including both Smith and Ledeen.<sup>5073</sup> Trump also publicized his interest. On July 27, 2016, in reference to deleted Clinton server emails, Trump proclaimed: “Russia, if you’re listening, I hope you’re able to find the 30,000 emails that are missing. I think you would be mightily rewarded by our press”; approximately five hours later, GRU hackers began spearphishing private email accounts at Clinton’s personal office for the first time.<sup>5074</sup>

(U) Smith’s initiative relating to Clinton’s missing emails began to take shape approximately one month later, in late August 2016. On August 28, 2016, according to the SCO, Smith sent an email with the subject “Sec. Clinton’s unsecured private email server” to various recipients, including Sam Clovis. The email stated that Smith was “[J]ust finishing two days of sensitive meetings here in DC with involved groups to poke and probe on the above. It is clear that the Clinton’s home-based, unprotected server was hacked with ease by both State-related players, and private mercenaries. Parties with varying interests, are circling to release ahead of the election.”<sup>5075</sup>

(U) On August 31, Smith sent a fundraising email to multiple recipients from his ProtonMail account.<sup>5076</sup> The subject line was “2016 Political Reconnaissance,” and the email described Smith’s formation of a corporate entity to obtain the Clinton emails<sup>5077</sup>:

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<sup>5073</sup> (U) FBI, FD-302, Gates 4/10/2018; *SCO Report*, Vol. I, p. 62. Smith and Flynn first met in November and December 2015, when they, along with their respective business associates, began discussing cybersecurity business initiatives. See Email, Lee to Smith and Flynn, November 21, 2015 (SSCI-2017-4309-000766) (introducing Smith and Flynn by email); SSCI Transcript of the Interview with John Szobocsan Tr., p. 20. On November 25, Smith and Szobocsan met with Flynn, Flynn’s son (Michael G. Flynn), and Flynn’s partner, Bijan Kian, at the Army-Navy Club. Szobocsan Tr., pp. 43–46; see Email, Smith to M. G. Flynn, November 23, 2015 (FLYNN- SSCI- 00007680) (arranging meeting). Two weeks later, on December 7, Smith followed up with a conference call with Kian, Flynn, Spillane, and Szobocsan. See Email, Smith to Flynn, M. G. Flynn, Kian, Szobocsan, and Spillane, December 3, 2015 (SSCI-2017-4309-000785) (arranging December 7 call); Szobocsan, Tr. p. 47. Although these discussions did not appear to materialize in a deal, it appears Smith and Flynn stayed in contact.

<sup>5074</sup> (U) *SCO Report*, Vol. I, p. 49.

<sup>5075</sup> (U) *Ibid.*, Vol. I, p. 63. The Committee did not obtain this email.

<sup>5076</sup> (U) ProtonMail advertises itself as a Switzerland-based end-to-end encrypted email service.

<sup>5077</sup> (U) Email, Smith to Smith, August 31, 2016 (Szobocsan Production).

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**Subject:** 2016 Political Reconnaissance  
**From:** Ptrsih (ptrsih@protonmail.ch)  
**To:** ptrsih@protonmail.ch;  
**Date:** Wednesday, August 31, 2016 9:45 AM

All,

In the 2012 campaign cycle we formed a Delaware Limited Liability Company (Political Campaign Analytics, LLC). In the 2016 cycle, we have a similar structure to conduct political reconnaissance which involves research relating to certain relevant public affairs topics. The entity formed for this purpose is KSL 2016, LLC ("KSL"). Similar to our effort in 2012, this entity will raise and spend \$250,000, principally in \$10,000 individual contributions, several of which have been committed.

The primary 2016 focus is to conduct research regarding the status of issues which are positive to the Republican nominee, and are negative to the Democratic nominee. Primary focus on the latter has been to determine when the emails which Sec. Clinton had on her personal server and deleted will emerge from sources which managed to capture those, because of the nature of the server itself and the failure of the server to be protected.

(U) The fundraising email referenced several steps Smith had already taken as part of his initiative, which included "daily conference calls with about a dozen individuals and organizations with interest in learning of third parties which had access to these emails, and of their plans for disclosure and distribution."<sup>5078</sup> Contemporaneous emails from John Szobocsan indicate that this activity included "several early morning conference calls with Flynn's son and a group of nebulous individuals across the globe on issues relating to DT,"<sup>5079</sup> referring to Trump.

(U) Smith also described holding four meetings in Virginia on August 27 and 28 with individuals who claimed to have access to the emails and were interested in selling their information.<sup>5080</sup> Smith's email suggested that he believed that the emails had been found and was willing to pay for them if the documents could be authenticated.<sup>5081</sup> The email also mentioned a connection between these individuals and Russia<sup>5082</sup>:

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<sup>5078</sup> (U) *Ibid.*

<sup>5079</sup> (U) Email, Szobocsan to Bear, August 24, 2016 (Szobocsan Production).

<sup>5080</sup> (U) Email, Smith to Smith, August 31, 2016 (Szobocsan Production).

<sup>5081</sup> (U) *Ibid.*

<sup>5082</sup> (U) *Ibid.*

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Our activities in this regard commenced on August 25, and have involved daily conference calls with about a dozen individuals and organizations with interest in learning of third parties which had access to these emails, and of their plans for disclosure and distribution. On the weekend of August 27-28, KSL organized four meetings in Virginia with such parties who claim to have access, and separate meetings with the parties were conducted. Our conclusion is that this access was made by more than these groups, all of whom are non-state players. The parties having the access are motivated by the desire to receive compensation. We stated that our desire was not to purchase such, and specifically avoided any discussion of sums that such parties may seek, and made clear that we were not a source of compensation to them.

Our advice to these parties was that they needed to demonstrate that they indeed did have access, and that the emails that they have were not altered or have any deletions been made. Despite this, the parties seek to remain engaged, and we plan subsequent contact to verify authenticity, as if such could be demonstrated, then the market would exist for them. These parties have ties and affiliations to Russia, and have concerns about their safety.

Between now and September 30, we plan similar reconnaissance extending to China through a meeting we will have in Los Angeles tied to a defense contractor facility there. Our current plan is to follow up the Virginia meetings with a trip to Moscow.

(U) John Szobocsan, a business associate of Smith's, recalled a meeting that Smith reported having with "nervous acting students he thought were from Russia" and who Smith said "were concerned about Putin"; Szobocsan understood that these were "hackers."<sup>5083</sup> In an August 26 email, Szobocsan wrote that "PWS will be near DC tomorrow and Sunday allegedly reviewing some WikiLeaks related documents."<sup>5084</sup> According to Szobocsan, the alleged documents were not in WikiLeaks's possession yet; rather, Smith wanted to retrieve the documents from the hackers and then provide them to WikiLeaks.<sup>5085</sup> In another contemporaneous email, after noting that "nothing worthwhile" had come from Smith's D.C. trip, Szobocsan referenced Flynn's son's involvement in the purported meetings.<sup>5086</sup>

(U) Szobocsan told the Committee that he did not attend the August meetings Smith referenced in his fundraising email, and only heard about them from Smith at the last minute.<sup>5087</sup> In emails to a third person shortly after Smith returned, Szobocsan wrote "Doesn't seem as

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<sup>5083</sup> (U) Szobocsan Tr., pp. 136–37.

<sup>5084</sup> (U) Email, Szobocsan to Bear, August 26, 2016 (Szobocsan Production). Szobocsan continued: "If these are really unreleased documents, would a i2 data entry project be worthwhile? I'm sure we can get the funds from the group."

<sup>5085</sup> (U) Szobocsan Tr., pp. 144–45.

<sup>5086</sup> (U) Emails, Szobocsan and Bear, August 30, 2016 (Szobocsan Production) ("Involving Flynn's son this time."). In their correspondence, both Szobocsan and his interlocutor expressed skepticism toward Smith's endeavor.

<sup>5087</sup> (U) Szobocsan Tr., pp. 107–108. Safron had no awareness of any of these meetings either. Safron Tr., pp. 119–120.

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anything worthwhile came from the trip.”<sup>5088</sup> In statements to the Committee, he claimed to be skeptical of what Smith told him:

*I get the call in the morning: I'm not going to be in the office; I'm going to be gone; I'm in Washington. He comes back, he tells me he had this meeting in this hotel. It was like really clandestine. He's trying to make it up, and all these things.*

*He goes out and he said that they were meeting in separate rooms and they were looking about getting these Clinton emails that these hackers had recovered. And one of them he thought might have been a Russian group, with like Russian students, but they were real fearful of Putin and all this stuff, that they might get caught; and another group, and all these things.*<sup>5089</sup>

(U) In a follow-up email on September 6, Smith announced the formation of a new corporate entity to channel his initiative, KLS Research, LLC (“KLS”),<sup>5090</sup> and provided wiring instructions for donations. Smith also suggested that he had obtained possession of two sample Clinton emails and had retained a law firm to review them:

*We have engaged the e-discovery team of a prominent DC law firm to work over the Labor Day weekend to “Test Match” two separate email files captured from the Clinton private server by two different third parties. The purpose is to insure the integrity of the data by random check points in same locations of each file as we determine that nothing has been “added” or “left out.”*<sup>5091</sup>

(U) Smith distributed a summary document for the KLS effort, captioned the “Clinton Email Reconnaissance Initiative.”<sup>5092</sup> The document listed individuals and groups purportedly affiliated with the effort, including people employed by or associated with the Trump Campaign:

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<sup>5088</sup> (U) Email, Szobocsan to Bear, August 30, 2016 (Szobocsan Production).

<sup>5089</sup> (U) Szobocsan Tr., pp. 107–108.

<sup>5090</sup> (U) Although the entity Smith formed was formally registered as “KLS Research, LLC,” Smith also occasionally referred to the name of this entity as “KSL.” Szobocsan assisted with the corporate registration. On September 2, Szobocsan received an email confirmation with a Certificate of Good Standing for KLS Research, LLC from Delaware, certifying that the company was formed on September 2, 2016. See Email, Aunet to Szobocsan, September 2, 2016 (Szobocsan Production).

<sup>5091</sup> (U) Email, Smith to Smith, September 5, 2016 (Szobocsan Production). Financial records produced to the Committee by Szobocsan suggested that Smith’s fundraising was not very successful, although the Committee did not independently verify that information. See “TNT Account Flows,” KLS Research LLC (Szobocsan Production) (documenting alleged financial transactions for KLS financial accounts).

<sup>5092</sup> (U) See Smith, Szobocsan, Safron, “Initial List of Independent Groups, Organizations and Individuals, Clinton Email Reconnaissance Initiative,” September 9, 2016 (Smith Production).

Initial List of Independent Groups, Organizations and Individuals

Clinton Email Reconnaissance Initiative

September 9, 2016

KLS Research, LLC, a Delaware Limited Liability Company, Has Been Formed for This Purpose.

(Click on a Name/ Description to View Additional Biographical Information.)

TRUMP CAMPAIGN (IN COORDINATION TO THE EXTENT PERMITTED AS AN INDEPENDENT EXPENDITURE ORGANIZATION)

Steve Bannon, CEO of Campaign, CEO of Breitbart

Kellyanne Conway, Campaign Manager (Husband, George Conway of Wachtell Lipton, Has Been Involved in Our Prior Initiatives)

Sam Clovis, Co-Chairman of Campaign

Lt. Gen (Ret.) Mike Flynn, Primary Military Advisor to Campaign

Lisa Nelson, Colleague of Former Speaker Newt Gingrich, (Who Has Ties to the Campaign)

Smith attached this summary document in follow-up fundraising solicitations to several individuals.<sup>5093</sup> In one September 20, 2016 email, Smith also claimed that “The Kushner Group is behind the initiative.”<sup>5094</sup>

(U) Smith presented himself to others as a political “operator,”<sup>5095</sup> and the Committee found evidence that Smith communicated with some individuals associated with the Trump Campaign, including about his email initiative. In addition to the August 28 email that was sent to Sam Clovis and others, Smith wrote on September 6, 2016, to David Bossie, who had just been named the deputy Trump Campaign manager<sup>5096</sup>:

*Congratulations . . . for your continued frontline work on the search for the missing/deleted Clinton emails. We have our own initiative on this that I would like to discuss with you by phone, as we believe these were taken from the totally unsecured clintonmail account by numerous parties, several of whom we have contacted.*<sup>5097</sup>

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<sup>5093</sup> (U) See, e.g., Email, Smith to Ryan, September 22, 2016 (Szobocsan Production) (attaching a “one-page summary of the Clinton Email Reconnaissance Initiative” and “two back-up pages on relevant articles and parties who are providing assistance to us”).

<sup>5094</sup> (U) Email, Smith to Elliot and Szobocsan, September 20, 2016 (Szobocsan Production). Safron was not aware of any actual connections to the Kushners, Safron Tr., p. 165, and the Committee found none.

<sup>5095</sup> (U) Safron Tr., p. 24.

<sup>5096</sup> (U) See, e.g., Robert Costa, “Trump enlists veteran operative David Bossie as deputy campaign manager,” *The Washington Post*, September 1, 2016.

<sup>5097</sup> (U) Email, Smith to Bossie, September 6, 2016 (Szobocsan Production). It is not clear if Bossie responded. Smith also reached out to Sam Clovis about other issues. Email, Smith to Clovis, September 16, 2016 (Szobocsan Production).

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(U) In mid-September, 2016, Smith also reconnected with Barbara Ledeen,<sup>5098</sup> a Senate staffer who had reached out to Smith in December 2015 to ask for funding for a similar Clinton email effort.<sup>5099</sup> Although Smith had declined to get involved in Ledeen's project at that time,<sup>5100</sup> a mutual acquaintance recommended that Smith get in touch with Ledeen, who "approached [her] months ago about having someone who could access emails quite thoroughly."<sup>5101</sup> Ledeen responded to Smith's outreach:

*Saw the very interesting note below and was wondering if you had some more detailed reports or memos or other data you could share because we have come a long way in our efforts, since we last visited. I think that if we had a chance to review what the UK folks surfaced, we could contribute on our side and give you an update on new findings. We would need as much technical discussion as possible so we could marry it against the new data we have found and then could share it back to you "your eyes only."*<sup>5102</sup>

(U) Shortly thereafter, on September 15, Ledeen signed a non-disclosure agreement with KLS.<sup>5103</sup> That day, Ledeen also emailed Flynn to tell him that "[t]he email project is mostly funded," likely in reference to her parallel effort to locate the Clinton emails.<sup>5104</sup>

(U) Smith tried to recruit a number of cybersecurity professionals to assist the effort. One of these was Matt Tait, a cybersecurity researcher who Smith contacted in September

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<sup>5098</sup> (U) Email, Smith to Nelson, September 13, 2016 (Szobocsan Production).

<sup>5099</sup> (U) In her December 2015 communications with Smith, Ledeen had described an unnamed person who "can get the emails which 1. were classified and 2. were purloined by our enemies." Email, Ledeen to Smith, December 3, 2015 (Szobocsan Production). Ledeen had also shared a 25-page proposal describing, in part, a "Multi-Phase Email Recovery Approach" to find the Clinton emails.

<sup>5100</sup> (U) Szobocsan, who in December 2015 met in person with Ledeen and her business partner, Don Berlin, about their proposal, recalled: "[T]here was really nothing of substance there. They were kind of like: Just give us a pile of money and we'll go out there and look for Clinton's emails. The whole prospect was: Let's go out there. We knew she had an unsecure email server, probably picked up by some intelligence agency someplace, and this could be in the deep and dark web." Szobocsan Tr., p. 59. On December 16, 2015, Smith wrote to Ledeen: "gave it a very hard look, but we do not feel this is a viable alternative for us to support." Email, Smith to Ledeen, December 16, 2015 (Szobocsan Production).

<sup>5101</sup> (U) Email, Nelson to Smith, September 13, 2016 (Szobocsan Production).

<sup>5102</sup> (U) Email, Ledeen to Smith, Nelson, Szobocsan, September 15, 2016 (Szobocsan Production).

<sup>5103</sup> (U) Email, Szobocsan to Smith, September 15, 2016 (Szobocsan Production) (attaching "KLS-Barbara Ledeen Mutual NDA 20160915").

<sup>5104</sup> (U) Email, Ledeen to Flynn, September 15, 2016 (FLYNN\_SSCI\_00015867). Flynn may have received the proposal from Ledeen directly in June 2016, judging from an email he sent to Ledeen. Email, Flynn to Ledeen, June 16, 2016 (FLYNN\_SSCI\_00009821-9822) ("[P]lease tell Don, I received and was able to download the file . . . amazing! I'll speak more off line with you about it this evening or tomorrow.").

[REDACTED]

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2016.<sup>5105</sup> Tait assumed the request was in relation to the DNC emails previously released by WikiLeaks, not the Clinton server emails.<sup>5106</sup> During a phone call on September 5, Smith touted his political connections, including with people who were in the Trump Campaign, like Flynn.<sup>5107</sup> Tait recalled that Smith was interested in the Clinton server emails, and then Smith “dropped this bombshell”:

*[H]e was in contact with someone who was a dark web specialist, who was in contact with someone who had these emails; that these emails had been hacked from Hillary Clinton. There was this person on the dark web who wanted to expose them, but just wanted money in exchange for doing them. He didn't want to give them up for free.<sup>5108</sup>*

(U) Smith wanted Tait to help him validate the purported Clinton emails. Smith was very explicit that he wanted the emails before the election to help the GOP candidates, including on lower down tickets.<sup>5109</sup> During a subsequent call on September 12, Smith explained that he had received a sample from a credible source through a “dark web specialist.”<sup>5110</sup> Tait had not signed an NDA provided by Smith, so Smith did not give him the emails and their conversation was limited to discussing some of the technical attributes of the Clinton server.<sup>5111</sup> Tait made it clear that his view was that if the hackers were likely Russians, they would be acting in the best interests of Russia, and warned: “this is a fire, you will get burnt.”<sup>5112</sup> But Tait got the impression that Smith did not care who was selling the emails; Smith just wanted access to them.<sup>5113</sup> Smith followed up with further emails to Tait indicating he believed the Clinton emails

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<sup>5105</sup> (U) SSCI Transcript of the Interview with Matt Tait, October 6, 2017, p. 7; Email, Smith to Tait, September 4, 2016 (TAIT000001) (stating in relevant part: “As a firm we have interests in cyberspace investments, and individually in the election process (from the political right) especially in its heavy internet overlay. We find your posts to be the most informative, insightful and comprehensive available, and would most welcome the chance to chat with you by phone on how we could collaborate with you.”).

<sup>5106</sup> (U) Tait Tr., p. 9.

<sup>5107</sup> (U) *Ibid.*, p. 10; see Email, Smith to Tait, September 6, 2016 (TAIT000003) (“As I mentioned on the call, I will want to connect you with Michael G. Flynn, who is Gen. Mike Flynn’s son, and serves as his Chief of Staff, after the election.”).

<sup>5108</sup> (U) Tait Tr., pp. 16–17.

<sup>5109</sup> (U) *Ibid.*, p. 23.

<sup>5110</sup> (U) *Ibid.*, p. 34.

<sup>5111</sup> (U) *Ibid.*, pp. 30–33. This was reflected in a follow-up email from Smith to Tait. Email, Smith to Tait, September 13, 2016 (TAIT000036–37) (“We know of at least four groups that claim access to the content of this email account, and there are countless others.”).

<sup>5112</sup> (U) Tait Tr., pp. 30–33.

<sup>5113</sup> (U) *Ibid.*

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had been placed on the dark web, potentially by Russian actors.<sup>5114</sup> Tait declined to participate in Smith's effort.<sup>5115</sup>

(U) Nevertheless, based on his conviction that the Clinton emails were on the dark web, Smith worked with others to develop an approach to locate them. This involved creating a list of terms and phrases that he believed could be used to search the dark web. Smith distributed the list, including to Ledeen and others.<sup>5116</sup> Smith had assistance from Erik York, a former IBM consultant,<sup>5117</sup> and Royal O'Brien, CEO of a video game streaming company.<sup>5118</sup>

(U) Smith claimed to be working with a Washington, D.C., law firm to help authenticate Clinton emails he claimed to have located. Two lawyers were identified on Smith's summary initiative documents, and Safron believed it was "possible" that Smith had retained one of them, [REDACTED] to assist with that task.<sup>5119</sup> However, the Committee could not determine that Smith had successfully located hacked emails that had been deleted from Clinton's email server or that this testing occurred. Separately, Ledeen obtained financial backing from Erik Prince to test Clinton emails that she had located; Prince provided Ledeen with a technical advisor who, according to Prince, determined that the emails were not authentic.<sup>5120</sup>

(U) In October, Smith began to focus on the WikiLeaks releases of Podesta emails and tried to leverage the WikiLeaks documents for his initiative. Smith "batch downloaded" the WikiLeaks documents every time they came out<sup>5121</sup> and expressed an interest in connecting with Assange.<sup>5122</sup> In an email dated October 6, 2016, Szobocsan described a purported WikiLeaks "distribution arrangement" in correspondence with Charles Johnson—a political operative who had arranged a meeting between Assange and then-Congressman Dana Rohrabacher<sup>5123</sup>—but disclaimed having viewed any of the documents:

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<sup>5114</sup> (U) Email, Smith to Tait et al., September 17, 2016 (TAIT000038) ("As soon seen, certain Russian students put all their material (following their scholarship grants on Thursday) via TOR onto the deep/dark web."); Email, Smith to Tait, September 19, 2016 (TAIT000040) ("The 'missing' Hillary emails have been re-inserted into the dark/deep web. I look forward to discussing with you how this was done, and what is next."); Email, Smith to Tait, September 22, 2016 (TAIT000049) ("[W]e would welcome the opportunity to talk with you by phone about how these could be accessed by the media and other parties with interest in them. It has come to our attention that more than the one party referred to here has placed the same or similar files in the Deep Web.").

<sup>5115</sup> (U) Tait Tr., p. 39.

<sup>5116</sup> (U) *See, e.g.*, Email, Szobocsan to Ledeen, Smith, and Safron, October 4, 2016 (Szobocsan Production) (attaching "keywords document").

<sup>5117</sup> (U) *See, e.g.*, Email, York to Szobocsan, Smith, and Safron, October 7, 2016 (Szobocsan Production).

<sup>5118</sup> (U) *See, e.g.*, Email, O'Brien to Smith, November 1, 2016 (Szobocsan Production).

<sup>5119</sup> (U) Safron Tr., pp. 143–144.

<sup>5120</sup> (U) *SCO Report*, Vol. I, p. 64.

<sup>5121</sup> (U) Safron Tr., p. 135.

<sup>5122</sup> (U) *Ibid.*, pp. 133–134.

<sup>5123</sup> (U) *See infra* Vol. 5, Sec. III.B.

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*We have not seen the content. This is all done by third parties. We believe the emails are accurate but are unable to definitely confirm such.*

*The distribution arrangements involve a sharing with Wikileaks, who would then release them. The second means of distribution is to identify these emails through key phrase/sentence identifiers in the dark and deep web.<sup>5124</sup>*

(U) On October 10, Smith sent a new email solicitation to “supporters and prospective supporters” with updates about the WikiLeaks documents and requesting additional funding.<sup>5125</sup> In November 7, 2016, Smith mentioned by email a “contact I had with one of its [WikiLeaks] legal team members.”<sup>5126</sup>

(U) Smith also kept Flynn and Clovis in the loop. On October 10, he forwarded Flynn’s son the update on his initiative and the WikiLeaks materials.<sup>5127</sup> On October 15, he updated Flynn, Flynn’s son, Barbara Ledeen, and Sam Clovis<sup>5128</sup>:

We were fortunate enough to have had the Clinton-related emails which came to our attention from several separate sources placed in WikiLeaks hands, which we are certain they had from countless other parties. In a few week period we identified a handful of individuals that had obtained access to the unprotected Clinton emails. All were relatively inexperienced persons looking for notoriety. This is similar to the novice level hackers groups who with ease accessed the commercial email accounts of senior national security figures.

(U) Some recipients of Smith’s updates appeared to believe Smith had been successful. On October 24, after Smith sent another email about WikiLeaks, he received a response from Charles Johnson threatening that “Steve,” likely a reference to Bannon, would sue him for the documents<sup>5129</sup>:

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<sup>5124</sup> (U) Email, Szobocsan to Johnson, October 6, 2016 (Szobocsan Production).

<sup>5125</sup> (U) Email, Smith to Smith, October 10, 2016 (SSCI-2017-4309-001415).

<sup>5126</sup> (U) Email, Smith to Braden, November 7, 2016 (Szobocsan Production). The Committee did not identify the communication Smith was referring to, but did obtain a subsequent email that Smith sent to Barry Pollack, an attorney for Julian Assange, in January 2017.

<sup>5127</sup> (U) Email, Smith to M. G. Flynn, October 11, 2016 (Szobocsan Production) (“WikiLeaks Clinton-Related Email Release and Disinformation About Secretary Clinton’s Health”).

<sup>5128</sup> (U) Email, Smith to Flynn, M. G. Flynn, Ledeen, and Clovis, October 15, 2016 (FLYNN\_SSCI\_00013940).

<sup>5129</sup> (U) Email, Johnson to Smith, October 24, 2016 (SSCI-2017-4309-001350).

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----- Original Message -----  
Subject: Re: Fw: WikiLeaks Releases Continue on Schedule  
Local Time: October 24, 2016 11:51 PM  
UTC Time: October 25, 2016 4:51 AM  
From: [REDACTED]  
To: Peter Smith [REDACTED]

I talked to Steve who will compel you to turn over to us all 30,000 emails you located and referred to WikiLeaks. BB wants to publish them first.

We do not give a rats ass what happens to you, and will turn you over the the Feds for prosecution if you do not comply.

(U) The Committee examined whether Smith had in fact obtained any non-public information through his initiatives. Its review of Smith’s hard drive produced two documents released by WikiLeaks that Smith had obtained and which showed file creation dates of October 2, 2016, dates that predated the public release of these documents by Julian Assange.<sup>5130</sup> These documents were not otherwise available on the public internet at that time, which raised the possibility that Smith had in fact obtained hacked Clinton emails in advance. The Committee identified these documents for the SCO for forensic review, which then established that the file creation date did not reflect when the files were downloaded to Smith’s computer. Rather, the SCO determined: “Smith used an older Apple operating system that would have preserved that October 2, 2016 creation date when it was downloaded by Smith (no matter what day it was in fact downloaded by Smith).” Instead, the file creation date on these documents appears to be “when WikiLeaks staged the document for release.”<sup>5131</sup> As a result, the Committee found no evidence that Smith obtained any of the WikiLeaks materials in advance of their public release or any of the “missing” Clinton emails.

**2. (U) The Alfa Bank Server Story**

**i. (U) Introduction and Findings**

(U) In July 2016, a group of “prominent computer scientists” identified unusual internet activity connecting two servers registered to Alfa Bank, a Russian financial institution, with an

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<sup>5130</sup> (U) Both documents were attachments to Podesta emails that WikiLeaks later released. *See SCO Report*, Vol. I, p. 64.  
<sup>5131</sup> (U) *Ibid.*

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email domain associated with the Trump Organization.<sup>5132</sup> The unusual internet activity reflected thousands of Domain Name System queries—commonly referred to as a “DNS lookup”—for an email domain used by the Trump Organization and originating from those two Alfa Bank servers. Public reporting in October 2016 suggested the possibility that this activity reflected the existence of communications between the two organizations.<sup>5133</sup> That suggestion was denied by both entities, but their alternative explanations were not consistent.

(U) The Committee spoke with Trump Organization IT staff about its understanding of and response to the activity and also considered the results of an FBI investigation. Based on the FBI’s assessment, the Committee did not find that the DNS activity reflected the existence of substantive or covert communications between Alfa Bank and Trump Organization personnel. However, the Committee also could not positively determine an intent or purpose that would explain the unusual activity.

**ii. (U) The DNS Connection Between the Trump Organization and AlfaBank Servers**

(U) Moscow-based Alfa Bank is part of the Alfa Group consortium and, as of 2017, was the largest private bank in Russia based on total assets, total equity and deposit and loan portfolios. As of 2017, the bank’s top four majority shareholders were Mikhail Fridman, German Khan, Aleksey Kusmichev, and Petr Aven [REDACTED]

[REDACTED]

[REDACTED]

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<sup>5132</sup> (U) According to public reporting in 2018, following disclosure of the Russian hack of the DNC, the computer scientists began searching for evidence that Russian hackers might also have infiltrated Republican-affiliated organizations and identified this activity through that process. *See, e.g.*, Dexter Filkins, “Was There a Connection Between a Russian Bank and the Trump Campaign?” *The New Yorker*, October 8, 2018. The computer scientists were not identified publicly by name.

<sup>5133</sup> (U) *See, e.g.*, Franklin Foer, “Was a Trump Server Communicating With Russia,” *Slate*, October 31, 2016.

[REDACTED]

<sup>5135</sup> (U) *Ibid.*

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(U) According to logs and documents purporting to reflect analysis by computer scientists, along with public reporting about the DNS lookups, during the 90-day period between June 17, 2016 and September 14, 2016, two servers registered to Alfa Bank (IP addresses 217.12.96.15 and 217.12.97.15) conducted DNS lookups of the domain “mail1.trump-email.com” a total of 2,817 times.<sup>5137</sup> An additional 729 DNS lookups were conducted by a third server registered to Spectrum Health, based in Michigan.<sup>5138</sup> Of the total number of DNS lookups of the Trump Organization server, approximately 99.8% originated with these three servers during that three-month period, as reflected below<sup>5139</sup>:

```
DNS-Lookups-For-mail1.trump-email.com-Through-9-14.txt
1422|AS15632|217.12.96.15|217.12.96.0/23|JSC "Alfa-Bank"|Moscow|Moskva|Russian
Federation|RU
1395|AS15632|217.12.97.15|217.12.96.0/23|JSC "Alfa-Bank"|Moscow|Moskva|Russian
Federation|RU
729|AS30710|167.73.110.8|167.73.96.0/20|Spectrum Health|Grand Rapids|Michigan|US|US
2|AS3061|74.118.76.182|74.118.72.0/21|Peer to Peer|Rehoboth|Rhode Island|US|US
1|AS40715|71.5.34.5|71.5.34.0/24|DataCenter.BZ, LLC|Worthington|Ohio|US|US
1|AS32491|64.98.42.242|64.98.32.0/20|Tucows.com Co.|Toronto|Ontario|CA|CA
1|AS32392|98.130.1.253|98.130.0.0/15|Ecommerce Corporation|Columbus|Ohio|US|US
1|AS22611|205.134.252.154|205.134.252.0/24|InMotion Hosting|Los
Angeles|California|US|US
1|AS16509|54.206.26.93|54.206.0.0/17|Amazon.com, Inc.|Seattle|New South Wales|US|AU
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(U) Generally speaking, a DNS lookup is used by internet-connected devices to translate a human-readable domain into the corresponding Internet Protocol (IP) address that the device

<sup>5136</sup> (U) *Ibid.*

<sup>5137</sup> (U) The Committee reviewed logs and analytical documents describing this activity, but did not independently assess their validity or authenticity. They are described here for background purposes only, and are consistent with the contemporaneous public reporting. The Committee was provided with these logs and documents in response to a document request. See DNS-Lookups-For-mail1.trump-email.com-Through-9-14.txt (PERKINSCOIE-SSCI-0000140); “White Paper #1 – Auditable v3,” (PERKINSCOIE-SSCI-0000126–131). They also appear to be publicly available. See, e.g., ljean.com/NetworkData.php (providing links to text files containing logs and analysis); ljean.com/NetworkRecords/Log-Of-DNS-Lookups-For-mail1.trump-email.com-851.txt (text file of DNS lookups for mail1.trump-email.com); ljean.com/NetworkRecords/DNS-Lookups-For-mail1.trump-email.com-Through-9-14.txt (text file compiling number of lookups based on requesting IP address).

<sup>5138</sup> (U) See DNS-Lookups-For-mail1.trump-email.com-Through-9-14.txt (PERKINSCOIE-SSCI-0000140).

<sup>5139</sup> (U) *Ibid.*

[REDACTED]

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uses for communicating.<sup>5140</sup> DNS lookups of a particular domain can suggest the existence of corresponding Internet communications to that domain, but they are not conclusive. One possible explanation for this activity was that someone was using the Alfa Bank servers to communicate (or try to communicate) with the Trump Organization.

(U) When press inquiries relating to this information began in September of 2016, the Trump Organization tasked Jae Cho, its corporate IT director, with identifying any potential Alfa Bank connection.<sup>5141</sup> The Committee interviewed Cho about his investigation and conclusions.

(U) According to Cho, at the time of the suspicious activity, the domain mail1.trump-email.com belonged to the Trump Organization's email marketing company, Cendyn Hospitality Marketing.<sup>5142</sup> Cho learned from Cendyn that the trump-email.com domain was originally created for Trump Hotels email marketing sometime between 2009 and 2011<sup>5143</sup> and the domain had been used as recently as November 2015 for Trump Hotel marketing emails.<sup>5144</sup> At some point prior to September 29, 2016, the domain registration was transferred from Cendyn to the Trump Organization; internal emails suggested it may have occurred on September 23, 2016, around the time the press began inquiring, although Cho could not identify any specific date with certainty.<sup>5145</sup> According to Cho, the Trump domain had been used to send mass marketing emails, but not to receive email.<sup>5146</sup>

(U) Cho looked up the IP addresses belonging to the two Alfa Bank servers. Based on a port scan of one server's IP address on October 1, 2016, Cho found that it was not configured as an email or web server: "It only had port 53 open, which is a port for DNS lookup."<sup>5147</sup> From

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<sup>5140</sup> (U) This is sometimes referred to as a "forward" DNS lookup. DNS lookups can also be used to determine a domain based on an IP address, which are referred to as "reverse" DNS lookups.

<sup>5141</sup> (U) The tasking occurred after the Trump Organization began receiving press inquiries about the DNS lookups. SSCI Transcript of the Interview with Jae Cho, February 15, 2018, p. 7.

<sup>5142</sup> (U) *Ibid.*, p. 12.

<sup>5143</sup> (U) *Ibid.*, p. 13.

<sup>5144</sup> (U) Email, Trump Hotels to Spectrum Health, November 25, 2015 (TRUMPORG\_6\_001619-1622) (containing header information identifying mail1.trump-email.com); Email, McMullin to LaDolcetta and Deyo, November 25, 2015 (TRUMPORG\_6\_001627) ("The email header provided is a valid email that was sent out for a Trump marketing campaign on behalf of Trump Hotel Collection. The campaign was sent out to 930,427 email addresses. . . The email sent to Spectrum Health was sent out from a 3<sup>rd</sup> party external mail server that is used for marketing purposes.").

<sup>5145</sup> (U) Cho Tr., pp. 37-46; Email, McMullin to LaDolcetta, Deyo, Cho and Cohen, September 29, 2016 (TRUMPORG\_6\_001447) ("I can verify that the domain has been transferred into Trump's Go Daddy account - Cendyn is no longer the registrar."); Email, LaDolcetta to McMullin, Hicks, & Cho, cc: E. Trump, September 30, 2016 (DJTFP00018140).

<sup>5146</sup> (U) Cho Tr., pp. 14, 31.

<sup>5147</sup> (U) *Ibid.*, pp. 17-18; see Email, Cho to Miller and Hicks, bcc: LaDolcetta, Martin, E. Trump, September 30, 2016 (TRUMPORG\_6\_001474-1475) (screenshot of port scan of IP address 217.12.96.15 using mxtoolbox).

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this, he inferred that both of the Alfa Bank servers were configured as DNS servers, and therefore could not have been used to transmit email communications to the Trump domain.<sup>5148</sup> Cho did not explain if he also conducted a port scan of the other Alfa Bank IP address, or how he determined that the configuration on October 1, 2016 would have been the same as the server's configuration during the time period in question.

(U) Cho did not recall conducting a system-wide review of the Trump Organization network to determine if there were any connections from the Trump Organization side with any of the Alfa Bank servers.<sup>5149</sup> Instead, he looked up the public IP addresses for two separate Alfa Bank email servers he had identified, which he then provided to Cendyn to check if Cendyn could identify communications involving those servers.<sup>5150</sup> In response, Cendyn found six messages to Alfa Bank recipients from clients using one of its email applications, but stated that these communications were not connected to the Trump Organization.<sup>5151</sup> Cendyn identified these as emails sent by existing banking or hotel customers of Cendyn through a meeting management application to an Alfa Bank email address.<sup>5152</sup> Cho did not locate any substantive communications between the Trump Organization and the two Alfa Bank servers and did not pursue further investigation of the DNS activity.<sup>5153</sup>

(U) Cendyn did not explain how the unusual DNS lookup activity might relate to those emails and did not filter its records to find information like the DNS logs at issue.<sup>5154</sup> Nonetheless, based on Cendyn's findings, Cho concluded that the rough "correlation" between these emails and the DNS logs might explain how the press had "put these together as some kind of activity between Alfa Bank and Cendyn, which happened to have one of their host names with our Trump name in it, 'Trump-email.com.'"<sup>5155</sup> The Committee did not engage Cendyn on this matter.

(U) Unprompted, the Committee also received two letters, dated March 16 and July 20, 2018, from an attorney representing Alfa Bank conveying the findings of internal investigations into the unusual DNS activity. The letters represented that Alfa Bank had retained Mandiant, a

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<sup>5148</sup> (U) Cho Tr., pp. 16–18.

<sup>5149</sup> (U) *Ibid.*, pp. 19–20.

<sup>5150</sup> (U) *Ibid.*, pp. 18–19, 21; see Email, Cho to McMullin, LaDolcetta, and Cardena, September 30, 2016 (DJTFP00018534).

<sup>5151</sup> (U) See Email, McMullin to Cho and LaDolcetta, October 4, 2016 (DJTFP00018533–18534) ("We did find a total of 6 messages to recipients of Alfa-Bank [sic] that were sent out of our applications. Cendyn does use internal SMTP servers for our various applications and are not dedicate [sic] to specific clients.").

<sup>5152</sup> (U) According to Cendyn, emails were sent on March 15, June 22, June 28, August 2, and August 15. *Ibid.*

<sup>5153</sup> (U) *Ibid.*, pp. 24–25, 30–31.

<sup>5154</sup> (U) Email, McMullin to LaDolcetta, October 5, 2016 (DJTFP00018919) ("The logs [of A record lookups] do not contain the details to allow us to filter out the requests on a per domain basis.").

<sup>5155</sup> (U) Cho Tr., p. 31.

cyber incident response firm, to conduct an internal investigation based on the DNS logs and had found no evidence of substantive communications between Alfa Bank and the Trump Organization.<sup>5156</sup> However, one letter noted that Alfa Bank had “continue[d] to receive unsolicited marketing emails from an address allegedly affiliated with the Trump Organization,” which it did not identify.<sup>5157</sup> As to the cause of the DNS activity, that letter posited Mandiant’s “working hypothesis is that the activity was caused by a marketing or spam campaign directed at Alfa Bank employees by a marketing server affiliated with the Trump Organization.”<sup>5158</sup>

[REDACTED]

[REDACTED]

[REDACTED] The Committee has no reason to dispute those determinations.

### 3. (U) Changes to the RNC’s Platform

#### i. (U) Introduction and Findings

(U) The Committee investigated whether or not changes to the RNC’s platform were the result of any Russian attempts to interfere with or otherwise influence the platform. Media speculation surrounding this issue stemmed from an incident involving a Republican delegate named Diana Denman and Trump Campaign staffer J.D. Gordon. Denman, a member of the

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<sup>5156</sup> (U) See Letter, Dinh to Burr and Warner, March 16, 2018; Letter, Dinh to Burr and Warner, July 20, 2018.

<sup>5157</sup> (U) Letter, Dinh to Burr and Warner, March 16, 2018.

<sup>5158</sup> (U) *Ibid.*

<sup>5159</sup>

[REDACTED]

<sup>5160</sup> (U) *Ibid.*

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Platform Committee, proposed an amendment to provide “lethal defensive assistance” to Ukraine. After Trump Campaign staffers intervened, Denman’s language was modified to “appropriate assistance” before delegates adopted the amendment.

(U) After interviewing Denman, Gordon, and all of the individuals directly involved in the matter, the Committee found that the changes to the RNC’s platform with respect to arming Ukraine were not the result of Russian interference, nor were they a coordinated attempt by the Trump Campaign to “weaken” the platform on Ukraine.

ii. (U) **Before Platform Week**

a. (U) **Denman’s involvement on the Platform Committee**

(U) Diana Denman first became involved in Republican politics and foreign affairs during her tenure as Vice Chairman of the Republican Party of Texas, and continued in her role as a delegate for the Reagan Campaign in 1984.<sup>5161</sup> Denman described herself to the Committee as “very supportive of the freedom fighters and those who were involved in the eighties in El Salvador and Nicaragua.”<sup>5162</sup> In addition to her involvement in Latin America, Denman also traveled to Eastern Europe in 1989 and witnessed the first free elections in Ukraine on a trip with the International Republican Institute (IRI).<sup>5163</sup>

(U) Between her role as a Reagan delegate in the 1980s and the 2016 election cycle, Denman stayed involved with foreign affairs through her service on two boards at the Department of Defense: the Defense Advisory Committee on Women in the Services and the Western Hemisphere Institute for Security Cooperation, which supports a bipartisan exchange with military leadership in Latin American countries.<sup>5164</sup>

(U) Denman started in the 2016 election cycle as a delegate for Senator Ted Cruz at the Texas state party level, and she was later chosen as a Texas delegate to the Republican National Convention.<sup>5165</sup> After securing a delegate spot, Denman asked to be assigned to the Platform Committee; specifically, she wanted to be on the subcommittee handling military and national security issues.<sup>5166</sup>

b. (U) **Denman’s Draft Amendment**

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<sup>5161</sup> (U) SSCI Transcript of the Interview with Diana Denman, December 4, 2017, pp. 4–5.

<sup>5162</sup> (U) *Ibid.*, p. 7.

<sup>5163</sup> (U) *Ibid.*, p. 8.

<sup>5164</sup> (U) *Ibid.*, p. 6.

<sup>5165</sup> (U) *Ibid.*, p. 5.

<sup>5166</sup> (U) *Ibid.*, pp. 5–7.

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(U) After being assigned to the Platform Committee, Denman began to receive emails from delegates on other committees requesting her support for their amendments to the Republican platform.<sup>5167</sup> On July 8, 2016, Denman began an email exchange with Ilan Berman, of the American Foreign Policy Council, to discuss language for her own platform amendment on Ukraine.<sup>5168</sup> Herman Pirschner, Jr., President of the American Foreign Policy Council, also provided input to Denman's amendment.<sup>5169</sup> Denman told the Committee that she was motivated to draft something on Ukraine because:

*[L]ooking back to my involvement in Latin America, Central America, the only country that I could identify . . . that had . . . their borders encroached and crossed by another country was the Ukraine. So it seemed to me that that was something that I might address because of the support that America gave during the eighties to other countries that were invaded by a neighbor.<sup>5170</sup>*

(U) Denman felt strongly that her amendment should provide for “lethal defensive assistance” to Ukraine because of her experiences in Latin America and her understanding of current weapons technologies:

*When I was down in El Salvador and Nicaragua, I saw the weapons used against the freedom fighters, and they had their hearts in their hands and their beliefs for their country. But when I saw first-hand what was being used against them . . . I wondered how they would ever prevail for their own countries . . . . And . . . in reading now . . . the high level of weapons today being produced by other countries in the world, that goes into my thinking of what they're able—what the two sides are up against.<sup>5171</sup>*

(U) Once her draft amendment was finalized, Denman emailed her language to all of the other delegates on her subcommittee.<sup>5172</sup> She also submitted language for an amendment related to the Monroe Doctrine.<sup>5173</sup> She brought a paper copy of her amendment to the Platform Committee meeting in Cleveland on July 11, 2016.<sup>5174</sup>

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<sup>5167</sup> (U) *Ibid.*, p. 9.

<sup>5168</sup> (U) *Ibid.*, pp. 10–11. See also Emails, Berman, Pirschner, and Denman, July 8, 2016 (DENMAN000001–2); Emails, Potapenko, Berman, Pirschner, and Denman, July 8, 2016 (DENMAN000140–142).

<sup>5169</sup> (U) Denman Tr., p. 12.

<sup>5170</sup> (U) *Ibid.*, p. 10.

<sup>5171</sup> (U) *Ibid.*, pp. 24–25.

<sup>5172</sup> (U) *Ibid.*, p. 16.

<sup>5173</sup> (U) *Ibid.*, p. 13.

<sup>5174</sup> (U) *Ibid.*

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iii. (U) Platform Week

a. (U) The Amendment Process

(U) The week before the Republican National Convention in Cleveland, the delegates selected for the Platform Committee met to discuss and finalize the Republican platform.<sup>5175</sup> The Platform Committee was divided into subcommittees of interest, one of which covered national security.<sup>5176</sup>

(U) There were three entities involved in overseeing the Platform Committee and subcommittee process: RNC officials (chairs or co-chairs of the subcommittees), Trump Campaign officials, and the delegates themselves.<sup>5177</sup> The Trump Campaign staff involved in the national security subcommittee were John Mashburn, Trump Campaign Policy Director; Rick Dearborn, Trump Campaign staff; J.D. Gordon, Director for the Trump Campaign's National Security Advisory Committee; and Matt Miller, National Director of Veterans for Trump.<sup>5178</sup> Mashburn acted as the senior-most advisor and gave the other Campaign staff instructions regarding how to handle any issues in the subcommittee meetings.<sup>5179</sup> Gordon and Miller were stationed in the national security subcommittee room to monitor the process.<sup>5180</sup>

(U) Mashburn told staff that he believed that, in 2012, the Romney campaign had “gotten really really involved in the writing of the platform planks, and it had caused a lot of problems with a lot of delegates.”<sup>5181</sup> His goal was to avoid that mistake and to let the delegates write the platform as they wished.<sup>5182</sup> Three or four weeks prior to the draft platform coming from the RNC, Mashburn spoke with Dearborn and then, later, with Manafort, about his views that the Campaign staffers at the convention should not insert themselves in the delegates' drafting processes.<sup>5183</sup> Mashburn told the Committee that Manafort agreed with him that the Campaign “should only get involved if it's something directly contrary to where the candidate has a stated position.”<sup>5184</sup> Mashburn seems to have delivered those instructions successfully, at

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<sup>5175</sup> (U) SSCI Transcript of the Interview with Matt Miller, December 20, 2017, pp. 9, 12.

<sup>5176</sup> (U) Gordon Tr., p. 14; M. Miller Tr., p. 13.

<sup>5177</sup> (U) SSCI Transcript of the Interview with John Mashburn, February 5, 2018, pp. 102–104.

<sup>5178</sup> (U) *Ibid.*, pp. 97–98.

<sup>5179</sup> (U) *Ibid.*

<sup>5180</sup> (U) Gordon Tr., pp. 12, 14; M. Miller Tr., p. 11.

<sup>5181</sup> (U) Mashburn Tr., p. 94.

<sup>5182</sup> (U) *Ibid.*

<sup>5183</sup> (U) *Ibid.*, p. 95.

<sup>5184</sup> (U) *Ibid.*, pp. 95–96.

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least at first, to Dearborn and Gordon.<sup>5185</sup> However, Miller could not recall any guidance he was given about platform discussions or amendments prior to the platform committee meeting.<sup>5186</sup>

(U) Miller and Gordon asked to preview amendments to the platform the evening prior to the breakout sessions for each interest group.<sup>5187</sup> Miller did not see the amendments, but Gordon reviewed them and submitted them to Mashburn.<sup>5188</sup>

**b. (U) Deriving Candidate Trump's Views on Ukraine**

(U) Prior to the Platform Committee meeting on July 11, 2016, Trump Campaign advisors did not have a clear view of Trump's position on Ukraine beyond comments he made in speeches and one comment at the March 31, 2016, meeting of his National Security Advisory Committee (NSAC). Gordon was present for both the NSAC meeting in March 2016 and the Platform Committee meeting.<sup>5189</sup>

(U) Mashburn told the Committee that "the candidate had never taken a position about assistance to Ukraine, lethal assistance . . . humanitarian assistance. He had said stuff about Russia, Crimea, the Ukraine . . . but he had never said anything about the type of military assistance or humanitarian assistance we could provide."<sup>5190</sup>

(U) J.D. Gordon told the Committee that he had "a little bit of visibility" about Trump's views from the March 2016 NSAC meeting at the Old Post Office.<sup>5191</sup> At that meeting, according to Gordon, Trump mentioned "that he didn't want a World War III over Ukraine. But he had also been saying that on the campaign trail."<sup>5192</sup>

(U) When asked whether he was aware of the Campaign's position on aid to Ukraine prior to the convention, Dearborn responded "not really at the time going into the convention. It may have been listed in one of the speeches that he had. He gave a ton of speeches, so I wasn't

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<sup>5185</sup> (U) Gordon said: "The process was for all of the six subcommittee sessions to review the platform and submit amendments, the process was that if there was anything that was very different than Mr. Trump's policy statements and view, we should let the co-chairman know, so the co-chairman can have a robust debate." Gordon Tr., p. 14. Dearborn understood the instructions to the Campaign staffers in each subcommittee room to be "monitor what happens in the subcommittee . . . make sure that what we've been saying and where we are on the issues tracks and just monitor it." Dearborn Tr., pp. 123–125.

<sup>5186</sup> (U) M. Miller Tr., p. 9.

<sup>5187</sup> (U) *Ibid.*, p. 13.

<sup>5188</sup> (U) *Ibid.*, pp. 13–14.

<sup>5189</sup> (U) Gordon Tr., pp. 14, 26–28.

<sup>5190</sup> (U) Mashburn Tr., p. 100.

<sup>5191</sup> (U) Gordon Tr., p. 26.

<sup>5192</sup> (U) *Ibid.*

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up on every single one.”<sup>5193</sup> Matt Miller, a Trump Campaign staffer also in the platform committee room with Gordon, told the Committee that he “did not find out until later, in reading some press accounts . . . that it [the language regarding lethal assistance] did not match what candidate Trump had said at the time. It went further than what candidate Trump had said about Russia and the Ukraine.”<sup>5194</sup>

(U) Both Mashburn and Gordon expressed to the Committee that the Republican party’s position on whether or not to arm Ukraine was not unified at the time. Gordon believed “it was debatable within Republican circles whether to arm the Ukraine or not.”<sup>5195</sup> Mashburn told the Committee that “there were people in the House that wanted ‘lethal assistance.’ Then there was the distinction between offensive and defensive assistance. So there was a split among Republicans on that issue before we ever got there.”<sup>5196</sup>

**c. (U) The Denman Amendment in Subcommittee**

(U) Inside the subcommittee room, there was a long conference table with platform committee Chairman Steve Yates and Vice Chairman Ron Rabin at one end of a long rectangular table, Denman at the opposite end, and delegates along either side.<sup>5197</sup> Miller and Gordon sat a side table with an attorney from Jones Day (counsel to the Campaign), who served as a parliamentarian, according to Miller.<sup>5198</sup> Miller recalled that prior to the Denman amendment, the subcommittee had “debates on trans-gender [people] serving in the military, LBGTQ issues, and there were votes on that,” along with two other amendments that Miller had himself drafted.<sup>5199</sup>

(U) There was significant media discussion about changes to the language of Denman’s amendment.<sup>5200</sup> According to Denman and Gordon, Denman’s original amendment text called for “lethal defensive weapons” in Ukraine.<sup>5201</sup> After the subcommittee meeting and the Platform Committee meeting, the language was changed to “appropriate assistance.”<sup>5202</sup>

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<sup>5193</sup> (U) Dearborn Tr., p. 125.

<sup>5194</sup> (U) M. Miller Tr., p. 17.

<sup>5195</sup> (U) Gordon Tr., p. 28.

<sup>5196</sup> (U) Mashburn Tr., p. 100.

<sup>5197</sup> (U) M. Miller Tr., pp. 10–11. In addition, during his interview with the Committee, Miller drew the layout of the platform committee room. *Ibid.*, p. 10, Exhibit 1.

<sup>5198</sup> (U) *Ibid.*, p. 11.

<sup>5199</sup> (U) *Ibid.*, p. 15.

<sup>5200</sup> (U) See Josh Rogin, “Trump Campaign Guts GOP’s anti-Russia stance on Ukraine,” *The Washington Post*, July 18, 2016; see also Brian Naylor, “How the Trump Campaign Weakened The Republican Platform on Aid to Ukraine,” *NPR*, August 6, 2016.

<sup>5201</sup> (U) Denman Tr., pp. 14, 22–23; see also Gordon Tr., p. 16.

<sup>5202</sup> (U) Gordon Tr., p. 16.

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(U) Some of the details of Denman’s recollection of events vary significantly from the Campaign staffers who the Committee interviewed, but all parties agree on the following: Denman submitted her original amendment to the Platform Committee delegates; the amendment came up in the subcommittee; J.D. Gordon asked the subcommittee Chairman to table Denman’s amendment because he thought the language contradicted Trump’s position on Ukraine; J.D. Gordon called Campaign advisers for assistance; and the language was eventually modified and voted out of the subcommittee. Denman did not recall re-raising the issue, but Miller recalled that the following day Denman attempted to vote the original language out of the full platform committee, and the vote failed.<sup>5203</sup>

**d. (U) Gordon’s Concerns with the Language**

(U) Gordon’s role was to raise concerns if any amendments contradicted the candidate’s stated positions. Given his understanding of Trump’s stated position on Ukraine, such as it was, “Diana Denman’s amendment had those three words [lethal defensive assistance], which I viewed as problematic because that would result, if adopted as it was, in a major policy difference than Mr. Trump.”<sup>5204</sup> Gordon told the Committee that “Mr. Trump had stated publicly and privately that he didn’t want World War III over Ukraine and he wanted better relations with Russia. So arming Ukraine is inconsistent with that view.”<sup>5205</sup>

(U) Gordon called Mashburn and Dearborn “so they had a chance to discuss it and make sure they could pose an objection if they wanted to”<sup>5206</sup>; he also asked Miller to speak with either Steve Yates, the subcommittee Chairman, or Rob Rabin, the Vice Chairman, “and basically ask them to table the amendment, and we could work with Ms. Denman to get something that wasn’t as . . . restrictive.”<sup>5207</sup> This interference in the subcommittee process was precisely what Mashburn had hoped to avoid.<sup>5208</sup> Campaign staff who were interviewed by the Committee could not remember if any other amendments were tabled, but there were no other amendments that Gordon asked Miller to approach Yates or Rabin about.<sup>5209</sup>

(U) Gordon told the Committee that he discussed his concerns about Trump’s views on Ukraine and Denman’s amendment language with Dearborn and Mashburn and “they understood

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<sup>5203</sup> (U) Denman Tr., pp. 29–30; *see also* M. Miller Tr., pp. 19, 31.

<sup>5204</sup> (U) Gordon Tr., p. 14.

<sup>5205</sup> (U) *Ibid.*, pp. 14–15.

<sup>5206</sup> (U) Gordon Tr., p. 17; Mashburn Tr., pp. 101–103.

<sup>5207</sup> (U) M. Miller Tr., pp. 15–16.

<sup>5208</sup> (U) Mashburn Tr., pp. 99–104. Mashburn stated that “J.D. didn’t do what we told him” because Gordon had tabled the Amendment and negotiated new language, rather than first contacting Mashburn and Dearborn for advice or allowing the delegates to proceed on their own. *Ibid.*

<sup>5209</sup> (U) M. Miller Tr., p. 23.

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Mr. Trump's views. It wasn't a secret he felt the way he did."<sup>5210</sup> Dearborn also recalled that Gordon "said that [Ms. Denman's Ukraine amendment] may be different from what our position was in some speech that was given by the then-candidate, now nominee."<sup>5211</sup> Both Mashburn and Dearborn relied on Gordon's interpretation of Trump's policy and the amendment text. Dearborn said that he had not even reviewed the amendment's text at the time of his discussions with Gordon.<sup>5212</sup>

**e. (U) Denman/Gordon exchanges**

(U) Denman told the Committee that after she read her plank in the national security subcommittee during the morning of July 11, 2016, Gordon and Miller left their seats to speak with Yates and Rabin.<sup>5213</sup> Yates and Rabin then asked Denman for a copy of her amendment.<sup>5214</sup> Then Gordon and Miller returned to their seats, and the subcommittee proceeded to consider other amendments.<sup>5215</sup> Denman was confused about why her plank was not being considered and approached Gordon and Miller, neither of whom she recognized; both men explained that they were there on behalf of the Trump Campaign, and Miller reminded Denman that he had called her prior to the convention to offer assistance.<sup>5216</sup>

(U) Denman did agree to table her amendment "for the time being" at the request of Gordon and Miller.<sup>5217</sup> Denman's understanding was that "there was a voice agreement that it would be handed over [to the Trump Campaign staffers and the subcommittee leadership] . . . that they would refine it and work with it."<sup>5218</sup> Miller's account of the interaction comports with Denman's, as he told the Committee, "We got her agreement to change it to 'appropriate means,' and it was voted on in committee and passed. Then the next day I think she tried to insert 'lethal' again in the full committee and it was voted down again. So the language that appears [in the platform] is 'appropriate.'"<sup>5219</sup>

(U) During the July 11 session, Denman raised her hand to ask about the status of her amendment, at which point there was "some discussion and a suggestion that other wording

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<sup>5210</sup> (U) Gordon Tr., p. 17.

<sup>5211</sup> (U) Dearborn Tr., pp. 125–126.

<sup>5212</sup> (U) *Ibid.*, p. 126.

<sup>5213</sup> (U) Denman Tr., pp. 14–15.

<sup>5214</sup> (U) *Ibid.*, p. 16.

<sup>5215</sup> (U) *Ibid.*, p. 17.

<sup>5216</sup> (U) *Ibid.*, pp. 17–18.

<sup>5217</sup> (U) *Ibid.*, p. 32.

<sup>5218</sup> (U) *Ibid.*, p. 40.

<sup>5219</sup> (U) M. Miller Tr., p. 19. A memorandum drafted by Dearborn for Manafort to describe the "tick tock" of events also supports that Denman offered the Amendment in the full committee on July 12, 2016, and the Amendment was voted down. Memorandum, Dearborn to Manafort, August 1, 2016 (DJTFP00004698).

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should be put in.”<sup>5220</sup> During that discussion, Denman approached Gordon at the side table, who she recalled being on a cellular phone.<sup>5221</sup> Denman told the Committee that Gordon told her he had to clear the language with “New York” but that she didn’t believe him.<sup>5222</sup> Denman told the Committee that she pressed Gordon on who he was speaking to and he told her three times that he was speaking to “Mr. Trump.”<sup>5223</sup>

(U) Gordon disputes this account, and told the Committee that he was “talking to my policy colleagues” and that he never told Denman that he was speaking to Trump.<sup>5224</sup> Gordon further told the Committee that he never spoke to Manafort or Trump about the subcommittee discussions while they were happening.<sup>5225</sup>

(U) Mashburn and Miller were present that day and do not have any recollection of Gordon calling anyone in New York or speaking with Trump.<sup>5226</sup> In fact, Mashburn told the Committee that “if I had every one of the people in each of these subcommittees calling New York for advice and skipping me and Rick [Dearborn], me and Rick [Dearborn] would have been fired for not doing our job supervising what was going on.”<sup>5227</sup> Mashburn also testified that Campaign staff did not escalate a single platform issue to New York during the entire subcommittee day.<sup>5228</sup>

(U) Denman told the Committee that she “felt that it was better to be sure” the Ukraine language remained in the platform at all—“that it not be dropped”—so she agreed to the change in language from “lethal defensive assistance” to “appropriate assistance.”<sup>5229</sup> The final Republican platform reflected this change.

**iv. (U) Media coverage of the platform issue**

(U) Denman never spoke with Miller, Gordon, Mashburn, or Dearborn about the amendment after the vote.<sup>5230</sup> However, after the committee vote, during the convention, and after the convention ended, the Campaign received press inquiries about what happened.<sup>5231</sup> On

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<sup>5220</sup> (U) Denman Tr., p. 19.

<sup>5221</sup> (U) *Ibid.*, p. 20.

<sup>5222</sup> (U) *Ibid.*

<sup>5223</sup> (U) *Ibid.*, p. 21.

<sup>5224</sup> (U) Gordon Tr., p. 18.

<sup>5225</sup> (U) *Ibid.*, p. 19.

<sup>5226</sup> (U) Mashburn Tr., pp. 101–102, 128; M. Miller Tr., p. 22.

<sup>5227</sup> (U) Mashburn Tr., p. 128.

<sup>5228</sup> (U) *Ibid.*, p. 129.

<sup>5229</sup> (U) Denman Tr., p. 19.

<sup>5230</sup> (U) M. Miller Tr., p. 26; Denman Tr. p. 36; Mashburn Tr., p. 142.

<sup>5231</sup> (U) M. Miller Tr., p. 33.

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July 18, 2016, *The Washington Post* published an opinion column chronicling the change in amendment language; on August 6, 2016, NPR published its own account of the amendment changes on its website.<sup>5232</sup>

(U) During a July 31, 2016, segment on *Meet the Press*, Chuck Todd asked Paul Manafort “how much influence” Manafort had in what Todd characterized as “something in the Republican Party platform that essentially changed the Republican Party’s views when it comes to Ukraine.”<sup>5233</sup> Manafort told Todd: “I had none. In fact, I didn’t even hear of it until after our convention was over.”<sup>5234</sup> Later in the interview, Todd clarified with Manafort, “so nobody in the Trump Campaign wanted that change in the platform?”<sup>5235</sup> Manafort responded: “No one, zero.”<sup>5236</sup>

(U) The Committee did not speak with Manafort about the Platform Committee, but Manafort’s statement on *Meet the Press* that he was not involved in the change is corroborated by documents the Committee received. J.D. Gordon participated at the platform week as part of the Campaign and asked for the amendment to be tabled, but other witness testimony and document production indicates that Manafort did not have any awareness of “Campaign” involvement until the day after his *Meet the Press* interview.<sup>5237</sup> Manafort emailed Dearborn on August 1, 2016, with the subject line “Ukraine,” asking “did you find out what happen? [sic] I need to understand the precise tick tock and how it happened.”<sup>5238</sup> Dearborn responded to Manafort attaching a memo with the “tick tock,” writing “I can attest to the fact that neither you, Gates or anyone else on the campaign knew of these events other than those listed above [Gordon, Mashburn, Miller, Brian Jack, and Dearborn].”<sup>5239</sup> When the Committee asked Dearborn about his use of the word “attest,” he did not know why he chose that word or phrased the email that way, as it looked to be reassuring Manafort that Manafort did not have prior knowledge.<sup>5240</sup> However, Dearborn’s language makes sense when viewed through the context that Manafort was following up on press inquiries and wanted to be sure that he had the story

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<sup>5232</sup> (U) Josh Rogin, “Trump Campaign Guts GOP’s anti-Russia stance on Ukraine,” *The Washington Post*, July 18, 2016; Brian Naylor, “How the Trump Campaign Weakened The Republican Platform on Aid to Ukraine,” NPR, August 6, 2016.

<sup>5233</sup> (U) “Transcript of *Meet the Press*,” NBC, July 31, 2016.

<sup>5234</sup> (U) *Ibid.*

<sup>5235</sup> (U) *Ibid.*

<sup>5236</sup> (U) *Ibid.*

<sup>5237</sup> (U) On August 1, 2016, Manafort requested a “tick-tock” of the events from the subcommittee, which J.D. Gordon provided to Rick Dearborn, and which Dearborn eventually provided to Manafort, and which the Committee received as part of a voluntary document production. See Email, Dearborn to Manafort and Gates, August 1, 2016 (DJTFP00004696–4698) (attaching a timeline of events); Dearborn Tr., p. 127.

<sup>5238</sup> (U) Email, Manafort to Dearborn, August 1, 2016 (DJTFP00004696).

<sup>5239</sup> (U) Email, Dearborn to Manafort, August 1, 2016 (DJTFP00004696).

<sup>5240</sup> (U) Dearborn Tr., pp. 129–134.

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straight, since Manafort had been questioned about the subject on national television less than 24 hours before his email to Dearborn.

(U) Based on the Committee's interviews with Campaign staff at the event, Manafort was never a participant in any discussions related to tabling or editing Denman's Amendment.<sup>5241</sup> Further, the Committee found that the changes to the Denman Amendment were the result of Gordon deriving a foreign policy position from Trump's limited public remarks, not the result of any foreign interference or undue influence.

**4. (U) Russia's Efforts to Support Third Party Candidates**

**i. (U) Introduction and Findings**

(U) Russia's attempts to influence the 2016 U.S. election sought to sow discord, to create doubt in democracy, and to expand social divisions. Historically, Russia has accomplished this by supporting third party candidates in an attempt to drive a national political conversation to potentially more extreme points of view. The Committee notes that "support" in this context does not indicate that the supported candidates are necessarily witting as to why Russia or Russian organizations are promoting their campaigns.

(U) The Committee found that RT took an interest in Dr. Jill Stein's candidacy for U.S. president as an alternative third party candidate, culminating in her attendance at the RT anniversary dinner in Moscow, which was also attended by Lt. Gen. Flynn and Russian President Vladimir Putin. Because of her attendance at the RT dinner, and her interactions with several Russian government officials while a candidate for president, the Committee sought to interview Stein and understand how the Russian government may have viewed her campaign as a potential vector to influence the U.S. election. After many months of negotiation, the Stein campaign produced documents to the Committee, and Stein participated in a voluntary interview with the Committee.

(U) The Committee thanks Dr. Stein for her cooperation with the Committee's inquiry. This section's focus on her campaign's interactions with Russian officials and Russian organizations should not be read as meaningful in any way except that Dr. Stein agreed to cooperate with the Committee's inquiry while some other Americans present at the RT anniversary dinner did not.<sup>5242</sup>

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<sup>5241</sup> (U) *See, e.g.*, Gordon Tr., p. 19.

<sup>5242</sup> (U) Flynn declined to speak with the Committee on multiple occasions, invoking his Fifth Amendment rights against self-incrimination. The Committee did speak to William Stevens, a career foreign service officer who served as spokesman for Embassy Moscow from August 2014 until August 2016. Stevens, whose official duties required him to engage with Russian media, attended the December 15, 2015, RT Dinner in his official capacity.

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ii. (U) Jill Stein and RT/RT America

(U) The IC has described RT as the Kremlin’s “principal international propaganda outlet” and as actively collaborating with entities such as Wikileaks.<sup>5243</sup> In the United States, RT operates as RT America TV, the English-language channel of RT America, which the Russian government created and financed.<sup>5244</sup> RT America is an important messaging tool for the Kremlin.<sup>5245</sup> The IC assesses that “RT America has positioned itself as a domestic US channel and has deliberately sought to obscure any legal ties to the Russian government.”<sup>5246</sup> On December 11, 2017, RTTV America, Inc. registered as a foreign agent under the Foreign Agents Registration Act (FARA).<sup>5247</sup> Several corporate entities related to other pro-Kremlin media sources, including Sputnik, RIA Novosti, and RIA Global LLC, registered soon thereafter.<sup>5248</sup>

(U) Part of RT’s efforts to impugn the U.S. democratic process involve its support for third-party candidates and pushing messaging that “the US two-party system does not represent the views of at least one-third of the population and is a ‘sham.’”<sup>5249</sup> The content of RT’s coverage of Stein, and other candidates, is consistent with this messaging.

(U) Dr. Jill Stein has been involved in Green Party politics since 2002.<sup>5250</sup> Stein first entered politics through Physicians for Social Responsibility (PSR); as part of PSR, Stein was involved in advocating against nuclear testing.<sup>5251</sup> After her work with PSR in Massachusetts, the Green Party approached Stein and, in her words, asked her to “keep doing what you’re doing but call it a race for governor [of Massachusetts,] and reach a broader group of people.”<sup>5252</sup> Stein

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The Committee appreciates his insights into this and other matters. *See generally* Stevens Tr.; *see also* Emails, Stevens and Kavalec, December 12, 2016 (CDP-2017-00011F-000267).

<sup>5243</sup> (U) *Declassified ICA*, p. 3.

<sup>5244</sup> (U) *Ibid.*, Annex A, p. 6.

<sup>5245</sup> (U) *Ibid.*

<sup>5246</sup> (U) *Ibid.*

<sup>5247</sup> (U) *See, e.g.*, Registration Statement Pursuant to the Foreign Agents Registration Act of 1938, RTTV America, Inc., December 11, 2017. RTTV America’s registration states that “the registrant does not agree that it is acting/acted as an agent of a foreign principal, but it is registering because DOJ has taken the position that the contractual relationship with ANO-TV Novosti falls under the registration obligations of FARA.” *Ibid.*

<sup>5248</sup> (U) *See, e.g.*, Registration Statement Pursuant to the Foreign Agents Registration Act of 1938, RIA Global, LLC, February 16, 2018.

<sup>5249</sup> (U) *Declassified ICA*, Annex A, p. 6.

<sup>5250</sup> (U) SSCI Transcript of the Interview with Jill Stein, December 19, 2018, pp. 5–8.

<sup>5251</sup> (U) *Ibid.*, pp. 5–6, 11.

<sup>5252</sup> (U) *Ibid.*, p. 7. Stein’s opponents were eventual winner Senator Mitt Romney and Shannon O’Brien.

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described her campaigns as “a form of citizen participation.”<sup>5253</sup> In both 2012 and 2016, Stein ran for president as the Green Party’s nominee.<sup>5254</sup>

**a. (U) Jill Stein’s relationship with RT**

(U) During both the 2012 and 2016 campaigns, Stein was interviewed on RT programs and believed the amount of coverage RT provided to third party campaigns was the same during both election cycles.<sup>5255</sup> According to Stein, RT covers third party campaigns regularly and had done so “as long as I have been aware of them.”<sup>5256</sup> Stein explained that RT requests for her to cover an event or interview generally went through Stein’s press staff, and she did not have “special relationships” herself with RT producers.<sup>5257</sup>

(U) During the 2012 presidential election campaign, RT hosted the Green Party debate.<sup>5258</sup> During the 2016 campaign, there was a Green Party debate on RT, though Stein clarified that it “wasn’t *the* Green Party presidential debate” but was instead a small “debate” that was part of one of RT’s regular programs, called “Watching the Hawks.”<sup>5259</sup> Stein explained that this “was a relatively small production” compared to the 2012 debate hosted on RT.<sup>5260</sup>

(U) Stein recalled that during the 2012 and 2016 election cycles, she did not think twice about media requests from RT, because she “was happy to get [her] message out through any media source . . . [she] was just really glad when anyone would cover us.”<sup>5261</sup> When asked about her understanding of the relationship between RT and the Russian government, Stein responded that during the 2016 election:

*I just assumed that they had some kind of relationship with the Russian government and now my understanding is that they are probably state media, though they go through some nonprofit. Whatever, you know. Is their structure any different from Voice of America? Or BBC? I can’t tell you.*<sup>5262</sup>

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<sup>5253</sup> (U) *Ibid.*, p. 8.

<sup>5254</sup> (U) *Ibid.*, pp. 8–9; see also Jill2016.com, “About Jill.”

<sup>5255</sup> (U) Stein Tr., pp. 14–15.

<sup>5256</sup> (U) *Ibid.*, p. 14.

<sup>5257</sup> (U) *Ibid.*, p. 16.

<sup>5258</sup> (U) *Ibid.*, pp. 73–74.

<sup>5259</sup> (U) *Ibid.*

<sup>5260</sup> (U) *Ibid.*, p. 74.

<sup>5261</sup> (U) *Ibid.*, p. 18.

<sup>5262</sup> (U) *Ibid.*, p. 19.

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(U) Stein told the Committee that the relationship between RT and the Russian government was not a cause of concern for her during the 2016 election cycle,<sup>5263</sup> and stated that she doubted there was “formal Russian support for my candidacy.”<sup>5264</sup> Stein attributed this belief to RT’s coverage of Gary Johnson, another third party candidate, and her own past policy statements, such as her past criticism of a Russia’s bombing campaign in Syria and her advocacy for shifting money from military spending toward a transformative climate program.<sup>5265</sup> Though several RT employees expressed personal support for Stein through emails, Stein viewed these emails as routine interactions and not as official support of her candidacy.<sup>5266</sup>

**b. (U) September 5, 2015 RT Gala in New York City**

(U) In September 2015, Stein was invited to attend a gala in New York City celebrating RT’s tenth anniversary.<sup>5267</sup> Stein described the event as “a reception where people stood around and I mostly talked to my colleagues from the peace community, who are also guests on RT.”<sup>5268</sup> Stein recalled seeing Russian Foreign Minister Sergei Lavrov at the event, where Lavrov gave a speech.<sup>5269</sup> Stein sought out Lavrov in order to engage him in a discussion on nuclear weapons. Stein recalled that her exchange with Lavrov was brief and that Lavrov “was not optimistic that nuclear weapons discussions could be resumed.”<sup>5270</sup> Stein told the Committee that the encounter lasted around a minute, and she did not think that Lavrov recognized her.<sup>5271</sup> After the event, Stein posted a photograph on her Facebook page of herself and Lavrov at the event, writing “Dr. Stein and Russian Foreign Minister Lavrov were introduced and had a good discussion.”<sup>5272</sup> Stein did not recall any other interactions with Russian government officials at the event, but she did attempt to set up follow-up meetings with Russian officials.<sup>5273</sup>

**c. (U) Attempt to meet with Putin and Lavrov**

(U) Following the September RT Gala event in New York City, Stein was invited to attend RT’s anniversary gala in Moscow in December 2015.<sup>5274</sup> Prior to this trip, Stein recalled

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<sup>5263</sup> (U) *Ibid.*, pp. 22, 27–28.

<sup>5264</sup> (U) *Ibid.*, p. 22.

<sup>5265</sup> (U) *Ibid.*, p. 23.

<sup>5266</sup> (U) *Ibid.* John Mecham, a senior news editor at RTAmerica, wrote in a text message to Stein’s press staff: “I feel like I’ve been part of the campaign :)” and “You guys have been good friends of RT when others have not.” Text messages, Mecham and [Stein press staff], November 4, 2016 (JSTEIN-002-0000056).

<sup>5267</sup> (U) Stein Tr., pp. 24, 28–29.

<sup>5268</sup> (U) *Ibid.*, pp. 28–29.

<sup>5269</sup> (U) *Ibid.*, pp. 29–31.

<sup>5270</sup> (U) *Ibid.*, p. 29.

<sup>5271</sup> (U) *Ibid.*

<sup>5272</sup> (U) Facebook post, Jill Stein, September 30, 2015 (JSTEIN-001-00000018).

<sup>5273</sup> (U) Stein Tr., pp. 29–30, 59.

<sup>5274</sup> (U) Email, Volokhonovich to Stein, October 14, 2015 (JSTEIN-001-00000140).

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attempting to set up meetings with both Putin and Lavrov.<sup>5275</sup> On October 28, 2015, Stein communicated with Nadia Ivanova, an employee at RT TV, about setting up meetings with Russian politicians and representatives from the Russian Ministry of Foreign Affairs (MFA).<sup>5276</sup> Ivanova told Stein that RT was engaged in negotiations to set up government meetings for Stein during her trip.<sup>5277</sup>

(U) Stein told the Committee that her motive for seeking these meetings with Russian government officials was that “my campaign said ‘go to the top. Ask to meet with Putin.’ Why not? So, Putin. Lavrov. They badly needed to hear what I have to say [about disarmament].”<sup>5278</sup> On November 9, 2015, Stein again requested a meeting with Putin or Lavrov, suggesting that “a direct meeting with President Putin will allow us to open a second track dialogue that will facilitate greater understanding by the American people of the actual situation involving Russia and the enormous potential and constructive cooperation between our nations.”<sup>5279</sup>

(U) Although Stein told the Committee that she did not understand RT to be state media at the time, she exclusively asked RT to set up meetings with Russian officials.<sup>5280</sup> Stein stated that she “wanted to explore” whether RT could set the meetings up “regardless of whether they could or not” because it was a matter of “shooting for the top.”<sup>5281</sup> Stein explained that she did not go through the Russian embassy to set up meetings with Russian officials because she did not have any contacts at the Russian embassy and did not know who else to contact, apart from RT.<sup>5282</sup> RT officials never told Stein she needed to go through the embassy, or refused her requests; their back-and-forth with Stein’s campaign amounted to asking her to put her requests in writing “as a matter of protocol.”<sup>5283</sup>

(U) Eventually, Stein was told that a meeting with Putin and Lavrov would be unlikely.<sup>5284</sup> Ivanova, however, stated that Stein would “be able to see and talk with our President at the gala dinner after our conference (we will seat you at the same table).”<sup>5285</sup> Ivanova also offered meetings with Alexey Pushkov, the Head of the Foreign Affairs Committee

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<sup>5275</sup> (U) Stein Tr., p. 59.

<sup>5276</sup> (U) *Ibid.*; Email, Ivanova to Stein, October 28, 2015 (JSTEIN-001-00000141–142). In an email, Ivanova wrote: “We are currently working on meeting organization options with Russian politicians and representatives of the Ministry of Foreign Affairs, that you could meet with during your visit to Moscow. Could you please let me know when you will be able to confirm your visit, so that we can proceed further with these negotiations.”

<sup>5277</sup> (U) Email, Ivanova to Stein, October 28, 2015 (JSTEIN-001-00000141–142).

<sup>5278</sup> (U) Stein Tr., p. 59.

<sup>5279</sup> (U) *Ibid.*, p. 62; Email, Stein to Ivanova, November 9, 2015 (JSTEIN-001-00000146).

<sup>5280</sup> (U) Stein Tr., p. 61.

<sup>5281</sup> (U) *Ibid.*, pp. 64–65.

<sup>5282</sup> (U) *Ibid.*, p. 65.

<sup>5283</sup> (U) *Ibid.*

<sup>5284</sup> (U) Email, Ivanova to Stein, November 13, 2015 (JSTEIN-001-000000148).

<sup>5285</sup> (U) *Ibid.*; Stein Tr., p. 51.

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in the State Duma, and Konstantin Kosachev, the Chairman of the Federation Council Committee on International Affairs, instead.<sup>5286</sup>

**d. (U) December RT Dinner in Moscow**

(U) In December 2015, RT organized and offered to pay for Stein’s travel to Russia to attend the RT Anniversary Gala.<sup>5287</sup> Stein’s attendance at this dinner has been widely reported by the press, including by publishing a photograph of Stein sitting next to Putin at the dinner.<sup>5288</sup>

(U) On December 9, 2015, Stein flew to Moscow to attend the RT Anniversary Gala.<sup>5289</sup> However, Stein paid for all of her own expenses and was reimbursed by her campaign because “it was very important that we [the campaign] were not going to be accepting money from a foreign entity of any sort, let alone something connected with a foreign government.”<sup>5290</sup> Stein also was not paid to participate on any panels at the event.<sup>5291</sup>

(U) After arriving on December 9, 2015, Stein and her communications director went to the hotel to rest.<sup>5292</sup> Stein told the Committee that she never felt surveilled or followed during her time in Russia.<sup>5293</sup>

(U) On December 10, 2015, Stein attended a full day of panels and conferences before attending the dinner and gala that evening.<sup>5294</sup> Stein participated in a panel with Cyril Svoboda, the former Deputy Prime Minister of the Czech Republic; Willy Wimmer, the former Vice President of the Organization for Security and Economic Cooperation in Europe; and Ken Livingstone, the former mayor of London.<sup>5295</sup> RT provided a topic for Stein’s panel:

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<sup>5286</sup> (U) Email, Ivanova to Stein, November 13, 2015 (JSTEIN-001-000000148); *see also* Stein Tr., pp. 65–67. Stein did eventually meet with Pushkov during her trip to Moscow, as described below. For more on Kosachev, *see infra* Vol. 5, Sec. III.C.5.i.a.

<sup>5287</sup> (U) Emails, Ivanova and [Stein staff members], November 9–19, 2015 (JSTEIN-001-00000150–152) (regarding the campaign paying for Stein’s expenses, rather than accepting complimentary accommodations from RT).

<sup>5288</sup> (U) *See, e.g.*, Robert Windrem, “Guess Who Came to Dinner with Flynn and Putin,” *NBC News*, April 18, 2017.

<sup>5289</sup> (U) Stein Tr., p. 39; Email, Ivanova to [Stein staff member], December 7, 2015 (JSTEIN-001-00000179–180) (attaching Stein’s Moscow trip itinerary).

<sup>5290</sup> (U) Stein Tr., p. 37; *see also* Emails, Ivanova and [Stein staff members], November 9–19, 2015 (JSTEIN-001-00000150–152).

<sup>5291</sup> (U) Stein Tr., p. 38; Emails, Ivanova and [Stein staff members], November 9–19, 2015 (JSTEIN-001-00000150–152).

<sup>5292</sup> (U) Stein Tr., p. 39.

<sup>5293</sup> (U) *Ibid.*, pp. 45–46, 56–57, 70–71.

<sup>5294</sup> (U) *Ibid.*, p. 40.

<sup>5295</sup> (U) *Ibid.*, pp. 40–41

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“Frenemies: defining foes and allies in proxy politics.”<sup>5296</sup> Stein felt that the topic provided her an opportunity to “reiterate [her] campaign platform on foreign policy, particularly with regard to war, and war in the Middle East.”<sup>5297</sup> Stein recalled seeing Flynn at points throughout the day prior to the dinner, but she told the Committee that she did not have any substantive conversations with him.<sup>5298</sup> Stein’s explained that her focus throughout much of the day was on interacting with the international news media, attending some of the panels, and networking.<sup>5299</sup> Stein left the conference in the evening to go back to the hotel and get ready for the dinner.<sup>5300</sup>

(U) Prior to the seated dinner, there was a cocktail reception where Stein recalled socializing with Jesse Ventura and his wife and networking with “the peace community.”<sup>5301</sup> At the dinner, Stein was seated next to Willy Wimmer, who had been on her panel that morning, and Flynn.<sup>5302</sup> Despite being seated at his table, Stein stated that she only spoke briefly with Flynn because Flynn “seemed completely disinterested” in Stein’s discussion of a “peace offensive in the Middle East.”<sup>5303</sup> Stein found it strange that Flynn would be at the gathering.<sup>5304</sup>

(U) Later in the evening, somewhere between five and thirty minutes prior to Putin’s speech, additional dinner guests arrived at Stein’s table: President Putin; President Putin’s Press Secretary, Dmitry Peskov; President Putin’s Deputy Chief of Staff Alexey Gromov; and President Putin’s then-Chief of Staff Sergey Ivanov.<sup>5305</sup> Margarita Simonyan, the Editor-in-Chief of RT, was also seated between Flynn and Putin.<sup>5306</sup> Stein said she was surprised to be at the head table seated with Putin, despite Ivanova’s previous statement to Stein via email that Stein would be seated with Putin.<sup>5307</sup> During the dinner, Stein recalled that she did not speak directly with Putin, though she did remember Putin shook hands with those seated around the table.<sup>5308</sup> Stein recalled that Simonyan introduced Putin, who gave his remarks, and departed

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<sup>5296</sup> (U) *Ibid.*, pp. 41–42; *see also* RT, “10 Years on Air” International Conference Booklet (JSTEIN-001-00000041).

<sup>5297</sup> (U) Stein Tr., p. 42.

<sup>5298</sup> (U) *Ibid.*, pp. 42–43.

<sup>5299</sup> (U) *Ibid.*, pp. 43–44.

<sup>5300</sup> (U) *Ibid.*, p. 44.

<sup>5301</sup> (U) *Ibid.*, pp. 46–47.

<sup>5302</sup> (U) *Ibid.*, pp. 47–48. Stein described Wimmer as “the only person within earshot who spoke English” though President Putin’s Press Secretary Dmitry Peskov, who also speaks English, was seated on the other side of Stein. *See ibid.* Stein said that she did not know Peskov spoke English, and that she originally thought he was a bodyguard for President Putin. *See ibid.*, pp. 47–48, 52.

<sup>5303</sup> (U) Stein Tr., p. 49.

<sup>5304</sup> (U) *Ibid.*, p. 48.

<sup>5305</sup> (U) *Ibid.*, pp. 47–51; *see also ibid.*, Exhibit A (photograph of Stein’s table at the RT Anniversary Gala in Moscow).

<sup>5306</sup> (U) *Ibid.*, p. 51.

<sup>5307</sup> (U) *Ibid.*, pp. 50–51; *see also* Email, Ivanova to Stein, November 13, 2015 (JSTEIN-001-000000148).

<sup>5308</sup> (U) Stein Tr., pp. 49–50.

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shortly thereafter along with Peskov, Gromov, and Ivanov.<sup>5309</sup> Stein's earpiece did not work, so she did not know what Putin said until the following day.<sup>5310</sup> Stein did not witness any communications or interactions between Flynn and Putin.<sup>5311</sup> After Putin's departure, Stein and her communications director left the dinner and went back to the hotel.<sup>5312</sup>

(U) On December 11, 2015, Stein sent her followers a newsletter, entitled "My encounter with Putin and other news," which recounted the prior evening's events.<sup>5313</sup> Stein claimed in her newsletter that Putin's comments about agreeing with politicians from other countries on "many issues" referred to her panel from December 10, 2015.<sup>5314</sup> However, Stein explained that this was her own theory after reading a translation of Putin's remarks and not the result of any direct suggestion of this by Putin.<sup>5315</sup> That same day, Stein also met with Pushkov at a restaurant over coffee, for about an hour.<sup>5316</sup> Stein characterized Pushkov's affect during the meeting as "polite interest."<sup>5317</sup> Stein was told that Kosachev could not attend.<sup>5318</sup> After her meeting with Pushkov, Stein texted Nadia Ivanova from RT, asking for contact information for Pushkov's assistant.<sup>5319</sup> Stein characterized this as routine follow-up to "leave a door open after making contacts."<sup>5320</sup> Stein never received nor initiated any additional follow-up to her meetings in Moscow.<sup>5321</sup>

(U) Later on December 11, 2015, Stein participated in an excursion to the Kremlin organized by RT, which she described as a bus tour with the other guests at the conference which Stein used as an opportunity to network with other attendees.<sup>5322</sup> That evening, Stein attended a theater event and a dinner event with other members of the group.<sup>5323</sup> On December 13, 2015, Stein returned home.<sup>5324</sup>

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<sup>5309</sup> (U) *Ibid.*, pp. 51–53.

<sup>5310</sup> (U) *Ibid.*, p. 49.

<sup>5311</sup> (U) *Ibid.*, p. 53.

<sup>5312</sup> (U) *Ibid.*, pp. 55–56.

<sup>5313</sup> (U) *Ibid.*, p. 57; *see also* Newsletter, "My encounter with Putin and other news from Russia," December 18, 2015 (JSTEIN-001-00000027).

<sup>5314</sup> (U) Stein Tr., pp. 57–58.

<sup>5315</sup> (U) *Ibid.*, p. 58.

<sup>5316</sup> (U) Stein Tr., pp. 66–67.

<sup>5317</sup> (U) *Ibid.*, p. 66.

<sup>5318</sup> (U) *Ibid.*, p. 67.

<sup>5319</sup> (U) *Ibid.*; Text Messages, Stein and Ivanova, December 13–14, 2015 (JSTEIN\_001\_00000128).

<sup>5320</sup> (U) *Ibid.*, p. 68.

<sup>5321</sup> (U) *Ibid.*

<sup>5322</sup> (U) *Ibid.*, p. 69.

<sup>5323</sup> (U) *Ibid.*

<sup>5324</sup> (U) *See* Email, [Stein staff member] to Ivanova, November 30, 2015 (JSTEIN-001-00000062–63) (attaching visa and flight information).

[REDACTED]

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(U) Following the conference, Stein continued to receive media outreach from, and regularly appear on, RT, including when RT broadcast Periscope coverage of Stein's reactions to the Trump/Clinton debates during the 2016 election cycle.<sup>5325</sup> During the 2016 election cycle, Stein also had contact with Julian Assange, who was a speaker at the Green Party convention in August 2016.<sup>5326</sup> Stein stated that all of her communications with Assange were related to preparing him for interviews at the Green Party events.<sup>5327</sup> Stein told the Committee that she never gained any non-public knowledge about Wikileaks releases during the 2016 election cycle.<sup>5328</sup>

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<sup>5325</sup> (U) *Ibid.*, pp. 76–77.

<sup>5326</sup> (U) *Ibid.*, pp. 86–87.

<sup>5327</sup> (U) *Ibid.*, pp. 86–88.

<sup>5328</sup> (U) *Ibid.*, pp. 87–89. For more on WikiLeaks, see *infra* Vol. 5, Sec. III.B.6.

#### IV. (U) EXECUTIVE BRANCH INVESTIGATIONS

(U) In the summer of 2016, the U.S. Intelligence Community (IC) began collecting and analyzing information related to potential Russian interference in the upcoming U.S. elections. The IC obtained intelligence information that indicated the Russian government, at Putin's direction, was seeking to interfere in the U.S. presidential election. As a result, the IC began a small, highly compartmented effort to understand the full scope of this activity.<sup>5329</sup> The FBI's Cyber Division had already opened a separate investigation into Russian-government sponsored cyber intrusions into the Democratic National Committee (DNC) based on Russian intelligence services' cyber intrusions in the summer of 2015 and again in early 2016. Cyber Division's investigation related to the DNC breach resulted in a series of interactions between the FBI and the DNC, which are described in detail below.

[REDACTED] Shortly after WikiLeaks released thousands of documents stolen by Russian hackers from the DNC,<sup>5330</sup> the [REDACTED] government provided information related to a potential Russian influence operation targeting the U.S. election. That information suggested that the Russian government had made an offer to the Trump Campaign to assist the Campaign with the anonymous release of information harmful to Hillary Clinton's electoral chances.<sup>5331</sup> Based on this information, and with the context of the Russian hacking investigation, FBI's Counterintelligence Division initiated a full counterintelligence investigation on July 31, 2016, "to determine whether individual(s) associated with the Trump campaign are witting of and/or coordinating activities with the Government of Russia."<sup>5332</sup> This umbrella investigation was codenamed Crossfire Hurricane.

[REDACTED] FBI provided a basic counterintelligence briefing<sup>5333</sup> to Trump and two members of his Campaign staff on August 17, 2016.<sup>5334</sup> An FBI agent delivered this briefing at the outset of a larger intelligence briefing the ODNI traditionally offers to both candidates at the

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<sup>5329</sup> (U) *See infra* Vol. 4.

<sup>5330</sup> (U) *See infra* Vol. 5, Sec. III.B.

<sup>5331</sup> (U) FBI, FD-1057, "Dissemination of Investigation Opening," July 31, 2016.

<sup>5332</sup> (U) *Ibid.*

<sup>5333</sup> [REDACTED] The FBI's notes suggest that the same counterintelligence briefing was offered to the Clinton Campaign. However, the Committee did not verify with DNC officials, campaign staff, or the FBI that Clinton or her senior staff received this briefing.

<sup>5334</sup> [REDACTED] FBI "Documentation of Counterintelligence and Security Briefing to the Republican Candidate for President Donald J. Trump, New Jersey Governor Chris Christie, and General (retired) Michael Flynn," Dated August 30, 2016.

[REDACTED]

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SECRET level after the conventions.<sup>5335</sup> Flynn was one of Trump’s two advisors in attendance.<sup>5336</sup>

[REDACTED] The Committee was able to review the talking points FBI used at the briefing<sup>5337</sup> and the memo<sup>5338</sup> the agent wrote to record the briefing afterward. Both reflect a cursory overview by FBI focused on encouraging awareness of counterintelligence issues. The briefing provided basic facts about foreign adversary intelligence operations and encouraged the campaign to use adequate communications security. For example, it cautioned that Trump and his staff were a target for foreign HUMINT, SIGINT, and cyber operations, and it said that intelligence officers from foreign countries could pose as diplomats or use non-official cover to approach those close to the candidate.<sup>5339</sup>

[REDACTED] The briefing discussed Russia as a U.S. adversary with a robust intelligence presence. It did not provide any specific warnings to the Campaign regarding the allegations FBI was pursuing in Crossfire Hurricane.<sup>5340</sup> According to the Agent’s record of the encounter, FBI told Trump and his staff that “[Foreign intelligence services] will send their IOs in diplomatic cover, business NOCs, as well as sources they have developed around you to elicit information and gain assessments on you.”<sup>5341</sup> The agent’s notes do not refer to FBI’s suspicions about Page, Papadopoulos, Manafort, or Flynn’s contacts with Russian officials.<sup>5342</sup>

[REDACTED] Shortly after opening Crossfire Hurricane, FBI’s Counterintelligence Division opened counterintelligence investigations on four separate U.S. persons under this umbrella investigation: George Papadopoulos (Crossfire Typhoon), Carter Page (Crossfire Dragon), Paul

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<sup>5335</sup> (U) *Ibid.*  
<sup>5336</sup> (U) *Ibid.*  
<sup>5337</sup> (U) *Ibid.*  
<sup>5338</sup> (U) *Ibid.*  
<sup>5339</sup> (U) *Ibid.*  
<sup>5340</sup> (U) *Ibid.*  
<sup>5341</sup> (U) *Ibid.*  
<sup>5342</sup>

[REDACTED]

[REDACTED]

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Manafort (Crossfire Fury), and Michael Flynn (Crossfire Razor).<sup>5343</sup> Subsequent to the original cases, the FBI opened a number of other cases on both U.S. persons and foreign nationals related to these investigations, including on [REDACTED] then-Attorney General Jeffrey Sessions ([REDACTED]), and President Donald Trump ([REDACTED]).

(U) The FBI, as part of its investigation into Russian interference, successfully obtained a warrant to conduct Foreign Intelligence Surveillance Act (FISA)-authorized surveillance against Page.<sup>5344</sup> The initial FISA application was approved on October 21, 2016, after Page had left his role as an advisor to the Trump Campaign. The Foreign Intelligence Surveillance Court reauthorized surveillance three times, but authorization ultimately expired on September 22, 2017. In its application and renewals seeking FISA authorities, the FBI and the Department of Justice relied heavily—but not solely—on information provided by Christopher Steele, a former [REDACTED] officer and FBI confidential human source.<sup>5345</sup> Steele’s information and the FBI’s response to Steele’s information is described in detail below.

[REDACTED] In May 2017, Deputy Attorney General Rod Rosenstein appointed Robert Mueller III as Special Counsel to investigate Russian interference in the 2016 U.S. election. Two memoranda provide the clearest articulation of the scope of the Special Counsel’s Office (SCO) investigation. First, an August 2, 2017, memorandum from Rosenstein to Mueller authorized SCO to conduct investigations related to Carter Page, Paul Manafort, George Papadopoulos, Michael Flynn, and [REDACTED].<sup>5346</sup> Second, an October 20, 2017, memorandum from Associate Deputy Attorney General Scott Schools to Rosenstein clarified that SCO had the authority to pursue certain additional, related investigations.<sup>5347</sup> These additional investigations included Michael Cohen, Rick Gates, [REDACTED], [REDACTED],

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<sup>5343</sup> (U) At the time FBI’s Counterintelligence Division opened a counterintelligence case on Manafort, the FBI’s Criminal Investigative Division had an existing criminal investigation into Manafort that related to Manafort’s past work in Ukraine. This investigation was handled by the FBI’s Washington Field Office. *See* L. Page Tr., pp. 38, 53. Separately, the New York Field Office had opened a counterintelligence “contact” investigation on Page in April 2016, but limited investigative activity took place. *See DOJ OIG FISA Report*, p. 64. Both investigations were eventually transferred to the Crossfire Hurricane team.

<sup>5344</sup> (U) FISA orders are intelligence gathering tools, and as such, the government must submit a sworn statement explaining the basis for its belief that the target is an agent of a foreign power and that the facilities—phone numbers, email addresses, and the like—that the government proposes to surveil are used by that foreign power. *See* 50 U.S.C. § 1804.

<sup>5345</sup> (U) The Committee reviewed the FISA applications filed with the Foreign Intelligence Surveillance Court and a limited set of underlying materials related to those applications. As described by the Department of Justice’s Office of the Inspector General (OIG), these applications relied on erroneous information and included a number of omissions and inaccuracies. *See DOJ OIG FISA Report*.

<sup>5346</sup> (U) Memorandum from Deputy Attorney General Rod J. Rosenstein to Robert S. Mueller, III, August 2, 2017.

<sup>5347</sup> (U) Memorandum from Associate Deputy Attorney General Scott Schools to Deputy Attorney General Rod J. Rosenstein, October 20, 2017.

[REDACTED]

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Roger Stone, and [REDACTED]<sup>5348</sup> In addition to those individuals, the memorandum specified links from primary targets to secondary targets approved for investigation. These included specific secondary targets related to Paul Manafort, Michael Flynn, Michael Cohen, and [REDACTED].<sup>5349</sup> The SCO's mandate, however, did not expressly retain a priority on counterintelligence matters.

[REDACTED] Shortly after its creation, SCO was reassigned a number of open FBI case files related to SCO's mandate. These case files included existing FBI investigations of [REDACTED]

[REDACTED] Carter Page; George Papadopoulos; Michael Flynn; [REDACTED]; Paul Manafort; [REDACTED]; [REDACTED]; Crossfire Hurricane (umbrella investigation); and [REDACTED].<sup>5350</sup>

(U) Over the course of its investigation, the SCO successfully secured numerous criminal indictments and convictions. This included indictments of Russian nationals associated with a Russian government-sponsored social media campaign and GRU personnel who hacked into the DNC and other related targets.<sup>5351</sup> It also secured convictions of Paul Manafort and Rick Gates for activity stemming from their work in Ukraine, as well as numerous other convictions related to conduct which criminally misled or obstructed investigations into Russian election interference.<sup>5352</sup> This latter category included convictions of Roger Stone, Michael Cohen, and Michael Flynn.<sup>5353</sup> These criminal cases, prosecuted while under immense public and political scrutiny, brought to light significant criminal conduct.

(U) While criminal prosecutions are a vital tool in upholding our Nation's laws, protecting our democratic system from foreign interference is a broader national security mission that must be appropriately balanced with the pursuit of criminal prosecutions. It is the Committee's view that this balance was not achieved. Russian interference with the U.S. electoral process was inherently a counterintelligence matter and one not well-suited to criminal prosecutions. As a result, the Committee found that some of the counterintelligence aspects of the FBI's original Crossfire Hurricane investigation were crowded out by the SCO's effort to identify, charge, and prosecute crimes. In other cases, nascent counterintelligence efforts by FBI were subsumed by SCO, and were neither fully pursued nor returned to FBI until SCO's conclusion almost two years later. Because the SCO's investigation was ultimately a criminal

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<sup>5348</sup> (U) *Ibid.*

<sup>5349</sup> (U) *Ibid.*

<sup>5350</sup> (U) Enclosure to FBI September 5, 2019, Letter to Chairman Richard Burr.

<sup>5351</sup> (U) *SCO Report*, Appendix D.

<sup>5352</sup> (U) *Ibid.*

<sup>5353</sup> (U) *Ibid.*

[REDACTED]

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inquiry, it did not fully address the depth and complexity of Russian interference in the 2016 election, an effort that this Committee has itself undertaken.

**A. (U) The DNC Hack and FBI's Response**

**1. (U) Introduction and Findings**

[REDACTED] Beginning in July 2015 and continuing until at least October 2016, at least one [REDACTED] Russian intelligence services compromised the DNC's computer networks.<sup>5355</sup> The DNC hack presented a novel scenario for the IC and federal law enforcement: political entities had been hacked before, but never before had a nation-state actor hacked a private political party in the United States, exfiltrated information, and then weaponized that information through public leaks. The scenario was further complicated by the fact that the DNC was a private political party with significant public presence, and the FBI was also looking at the domestic effects of a foreign threat during a U.S. presidential campaign.

(U) [REDACTED], the DNC was hesitant to engage with the Bureau on the matter of the political organization's being under attack by a foreign country's intelligence services, owing to resonant tensions stemming from the FBI's investigation into Hillary Clinton's email servers.<sup>5356</sup> Further complicating matters, the DNC's IT staff did not understand the nature of the threat it faced, despite multiple entreaties from an FBI agent at the Washington Field Office. The Committee investigated allegations that the FBI did not properly escalate its concerns about the DNC hack and that the DNC did not fully cooperate with the FBI. The Committee found that communication on both sides was inadequate, further confusing an already complex situation.

(U) The Committee appreciated the voluntary cooperation it received from the individuals associated with the DNC, as well as from former FBI officials now in the private sector. The DNC and its counsel were extremely accommodating in allowing the Committee to access potentially privileged materials, and provided staff with copies of incident response

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<sup>5354</sup> (U) SSCI Transcript of the Interview with Jim Trainor, December 8, 2017, p. 6. Jim Trainor is a 20-year veteran of the FBI who was the Assistant Director of the FBI Cyber Division from June 2013 until September 16, 2016. During his interview with the Committee, Trainor provided [REDACTED]

<sup>5355</sup> (U) *Declassified ICA; Netyksho* indictment, ¶ 32

<sup>5356</sup> (U) SSCI Transcript of the Interview with [REDACTED], May 14, 2018, pp. 21–25.

[REDACTED]

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reports prepared by the DNC’s cybersecurity vendor, CrowdStrike.<sup>5357</sup> Several Hillary for America (HFA) Campaign staffers, including Clinton Campaign Manager Robby Mook and Clinton Campaign Chairman John Podesta, also submitted to voluntary staff interviews, which provided limited insights into the DNC hack but did provide helpful information in other areas of the Committee’s inquiry.<sup>5358</sup>

(U) After conducting witness interviews and reviewing documents from the IC and third parties, the Committee found the FBI lacked an appropriate process to escalate their warnings of the DNC hack within the DNC and that the FBI’s victim-driven response paradigm hindered its ability to investigate the hack with the necessary urgency.

**2. (U) FBI’s Role Responding to Nation-State Cyber Attacks on Private Entities**

**i. (U) The IC’s Division of Labor for Cybersecurity**

(U) Within the U.S. Government, the FBI, [REDACTED] and Department of Homeland Security (DHS) have different but complementary roles related to cyber incident response. [REDACTED], has insights into foreign adversary activity, and is often one of the first to know that a foreign intelligence service has attempted to compromise, or has successfully compromised, a victim network. [REDACTED] will then pass that notification to FBI, which engages with the victim, and DHS sometimes provides additional services to assist in remediation or ongoing engagement with the IC.<sup>5359</sup>

[REDACTED] Because information about an attack can come from [REDACTED] or even a foreign partner, FBI must first work with [REDACTED] or [REDACTED] to protect their equities before sharing information with the victim.<sup>5360</sup> Jim Trainor, Former Assistant Director of the Cyber Division at FBI, described the Bureau as “always the one that’s more forward-leaning” about sharing information with victim entities because FBI agents are “the ones on the hook to try to provide the notification.”<sup>5361</sup> Once FBI receives permission to share threat indicators, field office agents will contact the victim entity.<sup>5362</sup> FBI agents use [REDACTED] to “have complete visibility on . . . victim notifications.”<sup>5363</sup> Trainor noted that the best scenario is for agents to do “a lot of outreach” in their area of responsibility, so that when an incident occurs,

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<sup>5357</sup> (U) As is common practice with incident response, CrowdStrike was hired through the DNC’s private counsel, Perkins Coie LLP.

<sup>5358</sup> (U) In general, HFA’s production to the Committee was limited, given that the Campaign had a mandatory 30-day automatic age-off processes for its staff email accounts.

<sup>5359</sup> (U) Trainor Tr., p. 21.

<sup>5360</sup> (U) *Ibid.*

<sup>5361</sup> (U) *Ibid.*

<sup>5362</sup> (U) *Ibid.*, p. 22.

<sup>5363</sup> (U) *Ibid.*, pp. 18–19.

[REDACTED]

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the FBI is dealing with “victims [who] have a relationship and a confidence and a trust . . . [who know] who the agent is, who the cyber squad is.”<sup>5364</sup> The FBI has [REDACTED] cyber squads, and victim notifications are [REDACTED] a portion of a cyber squad’s investigative work. When dealing with a larger cyber attack, the FBI [REDACTED]

[REDACTED]

(U) When asked whether the FBI triages its victim notifications, Trainor described [REDACTED]

[REDACTED]

As an example of the [REDACTED] Trainor hypothesized that if Russian actors breached (as a hypothetical example) Yahoo!, the FBI would [REDACTED]

[REDACTED]

### 3. (U) FBI’s Role: The Victim-Driven Response

(U) Instead of treating hacked entities as crime scenes, where the FBI can collect evidence as needed, the FBI treats hacked entities as victims, [REDACTED]. Washington Field Office Assistant Special Agent in Charge (ASAC) [REDACTED] told the Committee that it is “very typical” in the “majority of cyber cases” that after the FBI approaches a potential victim about a cyber intrusion, “we may never hear from them again.”<sup>5368</sup> [REDACTED] testified that the FBI [REDACTED] and that even in those cases “it’s quite a bit of a struggle...as the entity decides what level of cooperation they’re going to provide.”<sup>5369</sup>

(U) As a first step, FBI agents [REDACTED], the FBI’s case record system, to access contact information that may already exist for the victim.<sup>5370</sup> If there is no contact information, agents will call the organization and convey: [REDACTED]

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<sup>5364</sup> (U) *Ibid.*, p. 19.

<sup>5365</sup> (U) [REDACTED] Tr., p. 8.

<sup>5366</sup> (U) Trainor Tr., pp. 22–23. “Doxing” is the practice of leaking stolen documents from a compromised victim’s files.

<sup>5367</sup> (U) Trainor Tr., p. 22.

<sup>5368</sup> (U) [REDACTED] Tr., p. 13.

<sup>5369</sup> (U) *Ibid.*, pp. 14–15.

<sup>5370</sup> (U) *Ibid.*, p. 11.

[REDACTED]

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[REDACTED] Agents [REDACTED] are entrusted to convey an appropriate sense of urgency.<sup>5372</sup> After engaging with the victim entity, the FBI [REDACTED], working side by side” and [REDACTED]<sup>5373</sup> But the FBI is “not there to rebuild the network and remediate the network” following a cyber incident; generally, a victim organization will hire a third-party cybersecurity vendor to complete that process.<sup>5374</sup>

(U) One consequence of the victim-driven response is that victims who do cooperate do so at their own pace. [REDACTED] recognized that “every organization . . . [has] valid reasons why they don’t want the FBI in their building, on their computer systems.”<sup>5375</sup> Put simply: “half the time, the entity we’re calling just doesn’t want to deal with us.”<sup>5376</sup>

(U) As of May 2018, there was no formal policy within the FBI for escalating notifications up the chain of command at a victim entity.<sup>5377</sup> [REDACTED] testified that “if an organization decides that they have it [under control] or they don’t want to do it, I don’t think we typically will escalate it much further . . . [REDACTED]”<sup>5378</sup>

(U) There are reasons why, to date, the FBI does not compel victims to cooperate. The FBI needs the victim organization’s help to investigate the crime because the victim knows its own systems best, so forcing cooperation could potentially alienate the very people whose help the FBI needs. Additionally, the FBI recognizes that using compulsory process to force cooperation would be adding hassle to the hacked entity, which has already been the victim of a crime.

(U) When asked about using compulsory process to force victims to cooperate, Trainor admitted that the FBI could “get a grand jury subpoena to compel them. . . . But that’s a little challenging.”<sup>5379</sup> Even with compulsory process, Trainor told staff that “FBI doesn’t know the network as well as the DNC or any other victim. It becomes very complicated . . . that’s the collaborative part of being on scene together. So . . . we’re not going to get that even with a grand jury subpoena.”<sup>5380</sup> Trainor’s opinion was that compulsory process should be a last resort

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<sup>5371</sup> (U) *Ibid.*

<sup>5372</sup> (U) Trainor Tr., pp. 17–19.

<sup>5373</sup> (U) *Ibid.*, pp. 23–24.

<sup>5374</sup> (U) *Ibid.*

<sup>5375</sup> (U) [REDACTED] Tr., p. 14.

<sup>5376</sup> (U) *Ibid.*, p. 21.

<sup>5377</sup> (U) *Ibid.*, pp. 28–29.

<sup>5378</sup> (U) *Ibid.*, pp. 28–29.

<sup>5379</sup> (U) Trainor Tr., pp. 33–34. The Committee notes that search warrants might also be available.

<sup>5380</sup> (U) *Ibid.*, pp. 36–37.

[REDACTED]

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because “it would have a serious chilling effect with companies wanting to work with us” and so it should only be used [REDACTED].<sup>5381</sup>

**4. (U) Private Cybersecurity Vendors**

(U) Typically, after the FBI notifies a victim organization, the organization will hire outside counsel who can then bring in a cybersecurity firm to address the intrusion and recommend remediation.<sup>5382</sup> Depending on how the cybersecurity firm is retained, and how outside counsel and the victim organization want to work, the cybersecurity firm’s work product—including the technical details related to the intrusion and attribution theories—could be covered under the privileged umbrella of attorney work product.<sup>5383</sup> Many victim organizations are wary of publicly announcing cyber intrusions because of negative media attention and perceived reputational harm. This creates a tension as the cybersecurity community and law enforcement are better equipped to defend against cyber attacks when more information is shared.<sup>5384</sup>

(U) Trainor described the ideal incident response cooperation as when “the internal staff . . . the third party vendor, and . . . the FBI [are] working side by side, [REDACTED].<sup>5385</sup> Trainor used the Sony hack<sup>5386</sup> as a real-life example of an “optimal” situation where FBI agents [REDACTED] in order to speed up the review of technical data that could lead” to attribution.<sup>5387</sup>

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<sup>5381</sup> [REDACTED] *Ibid.*, p. 39.

<sup>5382</sup> (U) *Ibid.*, p. 24.

<sup>5383</sup> (U) [REDACTED]

[REDACTED] victim organizations often need the expertise of both a cybersecurity vendor and a cybersecurity law firm to guide them through cooperating with the FBI, navigating various regulatory requirements, and dealing with any data privacy issues that may arise during an intrusion.

<sup>5384</sup> (U) [REDACTED]

[REDACTED] Some vendors mitigate this by inputting threat indicators into a collective defense mechanism for their clients, or by participating in organizations like the Cyber Threat Alliance. But, there is currently no requirement that cybersecurity vendors report new indicators from every cyber intrusion into any collective repository.

<sup>5385</sup> (U) *Ibid.*, p. 35.

<sup>5386</sup> (U) See, e.g., Andrea Peterson, “The Sony Pictures Hack, Explained,” *The Washington Post*, December 18, 2014.

<sup>5387</sup> (U) Trainor Tr., p. 36.

[REDACTED]

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**i. (U) The DNC Hack: A Case Study in the FBI Victim Notification Process**

(U) The FBI agents and headquarters personnel working the DNC case were frustrated by the lack of responsiveness at the DNC, while witnesses from the DNC repeatedly told the Committee that they did not think the FBI appropriately conveyed the threat picture. FBI personnel told the Committee that they were [REDACTED]

[REDACTED] from the DNC would have [REDACTED]<sup>5388</sup> Trainor asked the Committee to “just imagine the FBI having the Washington Field Office giving a grand jury subpoena to the DNC.”<sup>5389</sup> Yet DNC witnesses repeatedly told the Committee that there was no “alarm bell” from the FBI, and DNC staff believed that the FBI received everything it needed from CrowdStrike and the DNC.<sup>5390</sup>

[REDACTED] None of the Committee’s witnesses expected that the compromise of the DNC’s network would lead to the exfiltration and exposure of the DNC’s emails and information.<sup>5391</sup> At the time of the compromise, FBI saw the [REDACTED] behavior on the DNC network “as very consistent” with past [REDACTED] behavior, that it was [REDACTED]

[REDACTED] Trainor told the Committee that although he was familiar with the [REDACTED] doxing practices, he did not assume that was a possibility with the DNC hack because the FBI [REDACTED]<sup>5393</sup>

[REDACTED] In reviewing staff interviews, [REDACTED], and witness document production, the Committee gained insights into the challenges facing both the DNC and the FBI in confronting a new kind of attack on America’s democracy. The uniquely political nature of the DNC as an organization and the FBI’s approach towards victims of cyber attacks led to miscommunications and missed opportunities to thwart, or eradicate, the Russian cyber actors from the DNC systems. The below timeline conveys the Committee’s understanding of the DNC hack, the FBI’s response, and how the FBI, CrowdStrike, and the DNC worked together during this historic attack.

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<sup>5388</sup> (U) *Ibid.*, p. 37.

<sup>5389</sup> (U) *Ibid.*, p. 34.

<sup>5390</sup> (U) Wasserman Schultz Tr., pp. 8, 23, 32-24; Brazile Tr., pp. 18, 86.

<sup>5391</sup> [REDACTED] However, Wasserman Schultz told the Committee that she was concerned, based on her political experiences, that: [REDACTED]

[REDACTED] She did not raise these concerns with CrowdStrike or DNC counsel at the time of the intrusion. SSCI Transcript of the Interview with Debbie Wasserman Schultz, October 2, 2017, p. 19.

<sup>5392</sup> (U) Trainor Tr., p. 29.

<sup>5393</sup> (U) *Ibid.*, p. 55.

[REDACTED]

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**5. (U) Summary of Events**

(U) Prior to the multiple [REDACTED] GRU intrusions into the DNC, the DNC networks were protected by a firewall, spam filters, an IT directory that managed password rotation, the Windows Defender system, and two-factor authentication on the VPN system.<sup>5394</sup> The DNC trained new staff on computer use; part of that training included simulating phishing attacks and senior employees received a high-level cybersecurity briefing from a third-party vendor.<sup>5395</sup> DNC CEO Amy Dacey told the Committee that cybersecurity was “a priority” for both her and DNC Chair Debbie Wasserman Schultz.<sup>5396</sup> The DNC had also hired a third-party vendor to conduct penetration testing on the DNC’s publicly available assets.<sup>5397</sup> The DNC contracted with The MIS Department, Inc. (MIS) to provide some IT services. Yared Tamene, a contractor for MIS and the DNC’s IT Director, was responsible for IT and network security, and he reported to Andrew Brown, the Technology Director, who in turn reported to both DNC COO Lindsey Reynolds and DNC CEO Amy Dacey.<sup>5398</sup>

[REDACTED]

[REDACTED] From August 2015 until early May 2016, the FBI attempted to assist the DNC in recognizing and responding to Russian intrusions into the DNC network.<sup>5400</sup>

(U) Despite multiple conversations with the FBI in 2015 and early 2016, Tamene told the Committee that the first indication he had “of confirmed foreign actors on our network, meaning unauthorized access to the network,” was April 28, 2016.<sup>5401</sup> In May 2016, the DNC hired CrowdStrike, a third-party cybersecurity vendor, to respond to what they by then understood to be a foreign nation-state attacking their network.<sup>5402</sup> On June 12, 2016, the DNC completed remediation related to the incident and transitioned to new systems.<sup>5403</sup> On June 14, 2016, the DNC approached and cooperated with the *The Washington Post* to publish an article announcing that the Russian intelligence services had hacked the DNC.<sup>5404</sup>

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<sup>5394</sup> (U) Tamene Tr., p. 18.

<sup>5395</sup> (U) *Ibid.*, p. 18; SSCI Transcript of the Interview with Amy Dacey, September 20, 2017, p. 14.

<sup>5396</sup> (U) Dacey Tr., p. 14.

<sup>5397</sup> (U) Tamene Tr., p. 18; Brown Tr., p. 13.

<sup>5398</sup> (U) Tamene Tr., pp. 4–5; Brown Tr., pp. 5–7.

<sup>5399</sup> (U) [REDACTED] Tr., pp. 5–6; Trainor Tr., p. 6.

<sup>5400</sup> (U) *See* [REDACTED] Tr., pp. 5, 44; Tamene Tr., pp. 10, 53.

<sup>5401</sup> (U) Tamene Tr., p. 9.

<sup>5402</sup> (U) [REDACTED] Tr., p. 44.

<sup>5403</sup> (U) Tamene Tr., p. 58.

<sup>5404</sup> (U) Ellen Nakashima, “Russian government hackers penetrated DNC, stole opposition research on Trump,” *The Washington Post*, June 14, 2016.

[REDACTED]

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(U) In the June 14, 2016 *The Washington Post* article, CrowdStrike's CTO Dmitri Alperovitch associated one threat actor, dubbed "Fancy Bear," with the GRU and associated another threat actor, dubbed "Cozy Bear," with the FSB. The following day, Alperovitch published an article on CrowdStrike's blog associating Fancy Bear with the GRU, but allowing that Cozy Bear could have been either the SVR or the FSB.<sup>5405</sup> Through the remainder of the summer and fall of 2016, emails obtained from the DNC hack were published by online GRU personas DCLeaks and Guccifer 2.0, as well as WikiLeaks.<sup>5406</sup> In September 2016, the DNC's cloud environment, hosted by Amazon Web Services (AWS), was the victim of another intrusion attempt, detected by CrowdStrike.<sup>5407</sup>

(U) On October 7, 2016, the Department of Homeland Security (DHS) and the Office of the Director of National Intelligence (ODNI) released a public statement that the IC was "confident that the Russian Government directed the recent compromise of e-mails from US persons and institutions, including from US political organizations."<sup>5408</sup>

**6. (U) Detailed Timeline**

**(U) April 2015**

[REDACTED] In April 2015, the FBI's Washington Field Office (WFO) hosted a threat awareness briefing in Washington, D.C. to advise industry, think tanks, and universities about the increased risk of cyber attacks during the spring and summer timeframe.<sup>5409</sup> During April 2015, the FBI engaged with a university on the west coast and one think tank in Washington, D.C. to alert them that their infrastructure had been compromised by [REDACTED] cyber actors.<sup>5410</sup> The [REDACTED] actors were using U.S. infrastructure in an attempt to conceal the true origins of their attacks and blend in to normal internet traffic.<sup>5411</sup> FBI's WFO engaged with both victims and

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<sup>5405</sup> [REDACTED] Dmitri Alperovitch, "Bears in the Midst: Intrusion into the Democratic National Committee," CrowdStrike, June 15, 2016. [REDACTED]

<sup>5406</sup> (U) *See infra* Vol. 5, Sec. III.B.

<sup>5407</sup> (U) Tamene Tr., p. 62.

<sup>5408</sup> (U) ODNI and DHS, "Joint Statement from the Department of Homeland Security and the Office of the Director of National Intelligence on Election Security," October 7, 2016.

<sup>5409</sup> (U) Trainor Tr., pp. 13–14.

<sup>5410</sup> (U) *Ibid.*, pp. 8–10.

<sup>5411</sup> (U) *Ibid.*, p. 9.



[REDACTED]

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first phone call, which he remembered happening in September of 2015, [REDACTED] reached him through the DNC switchboard and told him that the FBI thought “there may be some activity that is nefarious” and provided the outgoing IP address.<sup>5423</sup> Tamene said that [REDACTED] also gave him [REDACTED] the FBI in case the DNC systems were compromised.<sup>5424</sup>

(U) After speaking with [REDACTED] Tamene called DNC Technology Director Andrew Brown and went through the DNC firewall logs with his assistant engineer.<sup>5425</sup> No one on the DNC’s IT staff saw anything to substantiate [REDACTED] concerns.<sup>5426</sup> Brown told the Committee that “there was no indication like: Hey, the FBI is ringing a fire bell; we think you’re getting hacked.”<sup>5427</sup> Brown said he did raise the FBI’s outreach with Dacey in his biweekly meeting, but he “didn’t flag for her any direct actions” related to the FBI call.<sup>5428</sup> [REDACTED] FBI did not hear from the DNC after [REDACTED] initial call.<sup>5429</sup>

(U) CrowdStrike would eventually report that COZYBEAR had been sitting on the DNC’s email server since the summer of 2015.<sup>5430</sup> According to their report, after gaining access to an individual DNC staffer’s computer through a spearphishing campaign, COZYBEAR actors moved laterally through the DNC’s system and gained access to the email server.<sup>5431</sup>

**(U) December 2015**

[REDACTED] On December 24, 2015, [REDACTED] FBI that it continued to see [REDACTED] efforts against the DNC.<sup>5432</sup> On December 28, 2015, [REDACTED] again contacted Tamene and told him that the DNC may have been compromised. He provided the same IP addresses, but included another indicator that he thought might help the DNC find the bad actors.<sup>5433</sup> [REDACTED]

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Tamene recalled two conversations with [REDACTED] not one. Tamene remembers that [REDACTED] called him approximately a month after the initial phone call, and that that second conversation is when [REDACTED] told Tamene that the “actor is probably an entity called ‘DUKES.’” Tamene Tr., pp. 10–13. At the time of [REDACTED] outreach, open source reporting was widely available on the internet linking “Dukes” to sophisticated Russian cyber actors.

<sup>5423</sup> (U) Tamene Tr., pp. 10–11.

<sup>5424</sup> (U) *Ibid.*, p. 12.

<sup>5425</sup> (U) *Ibid.*

<sup>5426</sup> (U) *Ibid.*

<sup>5427</sup> (U) Brown Tr., p. 15.

<sup>5428</sup> (U) *Ibid.*, p. 19.

<sup>5429</sup> (U) [REDACTED] Tr., p. 17.

<sup>5430</sup> (U) Brown Tr., p. 27.

<sup>5431</sup> (U) *Ibid.*, p. 49.

<sup>5432</sup> (U) [REDACTED] Tr., p. 17.

<sup>5433</sup> (U) [REDACTED] Tr., p. 17. Tamene remembers this second phone call as happening approximately a month after the initial notification, so in October 2015, not December, but DNC Technology Director Andrew Brown remembered that it was a December engagement. Tamene Tr., p. 13; Brown Tr., p. 16.

[REDACTED]

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characterized this second notification as a slight escalation because “there was still a persistent presence, at least through attempts.”<sup>5434</sup> [REDACTED] again received no follow-up information from Tamene or anyone else at the DNC after his December 28, 2015, outreach.<sup>5435</sup>

(U) Brown told the Committee that the DNC searched again and did not find any of the indicators [REDACTED] had passed to them.<sup>5436</sup> Brown again told Dacey about the interaction with the FBI, characterizing his response as: “we’re treating it seriously and we’re dealing with it.”<sup>5437</sup> The DNC had purchased a new firewall in late December 2015 and Tamene’s team was “in the process of putting it in as sort of transparent to the existing firewall” to ensure better logging capabilities.<sup>5438</sup> During this timeframe, the DNC also purchased Splunk, a tool that aggregates and enables quicker searching of logs.<sup>5439</sup>

**(U) January 2016**

(U) After two weeks following the second notification without any word from Tamene, [REDACTED] that Tamene might not be the appropriate contact within the DNC.<sup>5440</sup> On January 12, 2016, [REDACTED] called the DNC switchboard and asked to speak to the person [REDACTED].<sup>5441</sup> Again, [REDACTED] was directed to Tamene.<sup>5442</sup> On January 15, 2016, [REDACTED] called Tamene to check in, and Tamene told [REDACTED] that he would search the DNC systems and get back to the FBI.<sup>5443</sup> Tamene told the Committee that, prior to April 2016, “there was no sense of urgency” to [REDACTED] notifications.<sup>5444</sup> Yet both Trainor and [REDACTED] testified that [REDACTED] would have conveyed a sense of urgency.<sup>5445</sup> Tamene also told the Committee that he had no awareness of [REDACTED] ever asking to speak to his supervisor or attempting to escalate the conversation within the DNC.<sup>5446</sup>

(U) Trainor told the Committee that he “first became aware of the challenges associated with the DNC . . . [the] lack of cooperation, lack of response, the fact that the exfil was going

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<sup>5434</sup> (U) [REDACTED] Tr., p. 18.

<sup>5435</sup> (U) *Ibid.*, p. 19.

<sup>5436</sup> (U) Brown Tr., p. 16.

<sup>5437</sup> (U) *Ibid.*, pp. 19–21.

<sup>5438</sup> (U) Tamene Tr., p. 17.

<sup>5439</sup> (U) *Ibid.*, p. 27.

<sup>5440</sup> (U) [REDACTED] Tr., p. 19.

<sup>5441</sup> (U) *Ibid.*

<sup>5442</sup> (U) *Ibid.*

<sup>5443</sup> (U) [REDACTED] Tr., p. 23.

<sup>5444</sup> (U) Tamene Tr., p. 28.

<sup>5445</sup> (U) Trainor Tr., p. 16.

<sup>5446</sup> (U) Tamene Tr., p. 28.

[REDACTED]

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on” in January 2016.<sup>5447</sup> Around this time, Trainor said the FBI Section Chief escalated the matter to a more senior level within the DNC.<sup>5448</sup> Trainor was confident that “it got raised beyond a working level and got raised within the DNC . . . the bottom line is they were able, from what I understand, were able to convince them [the DNC].”<sup>5449</sup> The Committee notes the conflicting testimony, but could not find any record of any FBI attempts to raise the profile of their warnings during this time period. ASAC [REDACTED] told the Committee that [REDACTED] had [REDACTED] in the DNC IT staff’s technical abilities, and that, during early 2016, [REDACTED] “was comfortable he was dealing with people that actually understood the consequences of what was happening and how to remediate it.”<sup>5450</sup>

**(U) February 2016**

(U) On February 8, 2016, [REDACTED] still had not heard back from Tamene, so [REDACTED] left a voicemail telling Tamene that he wanted to meet to provide Tamene with some additional threat intelligence.<sup>5451</sup> The next day, [REDACTED] spoke with Tamene by telephone and they set up an in-person meeting for February 10, 2016, so that [REDACTED] could provide Tamene with additional information.<sup>5452</sup>

(U) On February 10, 2016, [REDACTED] Tamene, and Suraj Gaur, another DNC IT staffer, met at a coffee shop in Sterling, VA.<sup>5453</sup> The FBI provided the DNC IT staff with additional threat information, including [REDACTED].<sup>5454</sup> Tamene recalled that at this meeting, [REDACTED] provided him with [REDACTED] indicating nefarious activity, including [REDACTED].<sup>5455</sup> Tamene told [REDACTED] that he would review the DNC’s logs for the indicators that [REDACTED] provided.<sup>5456</sup> For Tamene, [REDACTED] he realized that the DNC’s logging capabilities did not go back far enough to catch the activity [REDACTED] described.<sup>5457</sup>

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<sup>5447</sup> (U) Trainor Tr., p. 31. Trainor told the Committee that, during the December-January timeframe, he “start[ed] to hear, either from my staff or maybe even from the seventh floor at headquarters, whether it’s the Deputy or the EAD or somebody, that the DNC may not be taking this as seriously.” *Ibid.*, p. 47.

<sup>5448</sup> (U) *Ibid.*

<sup>5449</sup> (U) *Ibid.*, pp. 48, 50.

<sup>5450</sup> (U) [REDACTED] Tr., p. 26.

<sup>5451</sup> (U) *Ibid.*, p. 24.

<sup>5452</sup> (U) Tamene recalled that this in-person meeting with [REDACTED] was in late January 2016, not February. Tamene Tr., p. 14. *See also* [REDACTED] Tr., p. 24.

<sup>5453</sup> (U) *Ibid.*, pp. 24-25.

<sup>5454</sup> (U) *Ibid.*, p. 25.

<sup>5455</sup> (U) Tamene Tr., p. 16.

<sup>5456</sup> (U) [REDACTED] Tr., p. 25.

<sup>5457</sup> (U) Tamene Tr., p. 16.

[REDACTED]

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(U) Tamene told the Committee that he remembered [REDACTED] telling him at this meeting that the FBI “believes these to be Russian state actors, Russian state-sponsored actors.”<sup>5458</sup> Tamene relayed [REDACTED] statement about the foreign actors to Brown, and they both agreed that the DNC should continue to increase its logging capabilities.<sup>5459</sup> [REDACTED] also suggested that Tamene run a script [REDACTED], which could discover nefarious activity.<sup>5460</sup> Tamene was nervous about [REDACTED] on the network if the environment was compromised, so he and his team tried to figure out ways to [REDACTED] without alerting the malicious actors.<sup>5461</sup>

(U) Tamene told the Committee that, after their meeting, he told [REDACTED] by email or text message that the logs did not go back far enough and that the DNC had not found anything yet, but that they were still working on [REDACTED].<sup>5462</sup> He also told [REDACTED] that the DNC had purchased Splunk, a tool to aid its investigation, and had extended its logging capabilities.<sup>5463</sup>

(U) On February 18, 2016, a week after their first meeting, the FBI’s [REDACTED] called Tamene and again requested the log files. On February 26, 2016, [REDACTED]<sup>5464</sup> Two days later, on February 29, 2016, FBI sent [REDACTED], to Tamene, Gaur, and a third member of the DNC’s contract IT staff, Alberto Enrique.<sup>5465</sup>

(U) Tamene recalled that sometime in February, [REDACTED] called to invite him to an FBI tabletop exercise on April 5, 2016.<sup>5466</sup>

**(U) March 2016**

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<sup>5458</sup> (U) *Ibid.*, pp. 32–33.

<sup>5459</sup> (U) *Ibid.*, p. 32.

<sup>5460</sup> (U) *Ibid.* WMI is Windows Management Infrastructure, a Microsoft tool that allows system administrators to access and audit system management information across an enterprise’s networks. See Microsoft.com, Microsoft Windows Dev Center, “About WMI.” Because WMI works across the entire system, attackers sometimes use it to “create an initial foothold on a system.” See Timothy Parsi and Evan Pena, “WMI vs. WMI: Monitoring for Malicious Activity,” Fireeye.com, August 18, 2016. Running a WMI Bindings Script could enable a system administrator to see an adversary manipulating the WMI system.

<sup>5461</sup> (U) Tamene Tr., p. 32.

<sup>5462</sup> (U) *Ibid.*, p. 29.

<sup>5463</sup> (U) *Ibid.*

<sup>5464</sup> (U) [REDACTED] Tr., p. 27.

<sup>5465</sup> (U) *Ibid.*

<sup>5466</sup> (U) Tamene Tr., p. 29.



[REDACTED]

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logs,” which was a “new request.”<sup>5478</sup> At that point, the FBI had been requesting logs for almost two months.

(U) Three days later, on April 18, 2016, Tamene told [REDACTED] that the DNC was going to install and configure a new firewall; he also relayed that, so far, the [REDACTED] had not yielded any results.<sup>5479</sup> On that same day, FBI learned that a second Russian cyber actor, FANCYBEAR, was also operating within the DNC network.<sup>5480</sup> On April 19, 2016, the FBI again provided additional information to the DNC and again asked for the logs—the second request in two days, and the fifth request for logs cumulatively.<sup>5481</sup>

(U) Tamene told the Committee that the repeated requests for logs did not “seem like an escalation” to him, and that “Agent [REDACTED] never used alarming language.”<sup>5482</sup>

(U) The FBI repeatedly asked for the logs in an attempt to help the DNC because [REDACTED] [REDACTED] to the point where DNC could search its own logs for those same indicators.<sup>5483</sup> ASAC [REDACTED] told the Committee that the DNC had enough information to find the nefarious activity, but that “it was going to take them a lot longer and a lot more manpower to do it.”<sup>5484</sup> After the fifth request for the logs, Tamene told the FBI that Brown would have to approve the request for any logs.<sup>5485</sup> Tamene told [REDACTED] that Brown was aware of the compromise and that he had briefed Lindsey Reynolds, the DNC’s chief operating officer.<sup>5486</sup> On April 20, 2016, [REDACTED] sent Tamene and Gaur an [REDACTED] [REDACTED].<sup>5487</sup>

(U) The following day, Tamene told [REDACTED] he did not have authorization to share the logs.<sup>5488</sup> On April 25, 2016, the FBI [REDACTED] the DNC’s general counsel to request a meeting.<sup>5489</sup> The next day, on April 26, 2016, [REDACTED] called Michael Sussman, a partner at the law firm of Perkins Coie and the DNC’s external cybersecurity counsel.<sup>5490</sup> Sussmann told [REDACTED] that

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<sup>5478</sup> (U) Brown Tr., p. 18; Brown Tr., p. 23.  
<sup>5479</sup> (U) [REDACTED] Tr., p. 36.  
<sup>5480</sup> (U) *Ibid.*, p. 47.  
<sup>5481</sup> (U) *Ibid.*, p. 40.  
<sup>5482</sup> (U) Tamene Tr., p. 37.  
<sup>5483</sup> (U) [REDACTED] Tr., pp. 39–40.  
<sup>5484</sup> (U) *Ibid.*  
<sup>5485</sup> (U) *Ibid.*, p. 41.  
<sup>5486</sup> (U) *Ibid.*  
<sup>5487</sup> (U) *Ibid.*  
<sup>5488</sup> (U) *Ibid.*  
<sup>5489</sup> (U) *Ibid.*  
<sup>5490</sup> (U) *Ibid.*, p. 42

[REDACTED]

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[REDACTED] should engage with Tamene and that Sussman would encourage Tamene to cooperate with the FBI.<sup>5491</sup> On April 27, 2016, Sussman and Tamene called [REDACTED] and told him they were planning to meet with Dacey on April 28, 2016. Sussmann relayed that he expected Dacey to approve sending the FBI the logs.<sup>5492</sup>

(U) On April 28, 2016, Tamene discovered APT-28, or FANCYBEAR, on the DNC's networks—eight months after the FBI first contacted the DNC. Despite his earlier conversations with [REDACTED] about APT-29, or COZYBEAR, Tamene described the discovery of FANCYBEAR as “the first indication that I had of confirmed foreign actors on our network.”<sup>5493</sup>

(U) Tamene saw that a utility server that the DNC used to manage adding users to the domain had been compromised.<sup>5494</sup> On that domain server, the DNC used a program called [REDACTED] to manage passwords.<sup>5495</sup> [REDACTED] had two-factor authentication, but the IT team received an alert that an IP address was trying to log into the [REDACTED] account by guessing the password.<sup>5496</sup> After examining the [REDACTED] accesses, Tamene and his team could see that there were nefarious [REDACTED] access attempts that Tamene described as “irrefutable” indicators of compromise.<sup>5497</sup>

(U) In addition to the [REDACTED] activity, Tamene and his team also found a “process that [they] didn't recognize” running on the utility server.<sup>5498</sup> Tamene told the Committee that FANCYBEAR was running processes at system-level privileges, which could have given them access to “potentially everything . . . they could delete things, they could copy things, they could exfiltrate things.”<sup>5499</sup> Brown told the Committee that “they were kind of at the heart of the network at that point, by the time we saw them getting administrative passwords.”<sup>5500</sup>

(U) On April 29, 2016, after confirming the GRU/FANCYBEAR activity, when he “knew for sure” that the DNC was compromised, Tamene called Brown, and then Reynolds, to obtain permission to reach out to the FBI.<sup>5501</sup> Brown separately called Dacey and Reynolds to alert them to the problem, but could not reach Dacey.<sup>5502</sup> Dacey told the Committee that she

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<sup>5491</sup> (U) *Ibid.*, p. 43

<sup>5492</sup> (U) *Ibid.*

<sup>5493</sup> (U) Tamene Tr., p. 9.

<sup>5494</sup> (U) *Ibid.*, p. 42.

<sup>5495</sup> (U) *Ibid.*

<sup>5496</sup> (U) *Ibid.*, p. 43.

<sup>5497</sup> (U) *Ibid.*, p. 43; Brown Tr., p. 9.

<sup>5498</sup> (U) Tamene Tr., p. 43.

<sup>5499</sup> (U) *Ibid.*, pp. 45–46.

<sup>5500</sup> (U) Brown Tr., p. 14.

<sup>5501</sup> (U) Tamene Tr., p. 37.

<sup>5502</sup> (U) Brown 10.

[REDACTED]

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received a call Friday evening from Reynolds explaining that “the IT team . . . had noticed unusual activity on our system and they said that they thought that a breach had occurred and it was not something they had seen before and they were concerned about it and needed help to figure out what was going on.”<sup>5503</sup> Dacey immediately called Sussmann.<sup>5504</sup> Tamene and the DNC team, including counsel, “spent several hours on the phone thinking through what [their] options were.”<sup>5505</sup> That same day—11 weeks after the FBI’s first request—Tamene sent [REDACTED] an email stating that the DNC IT department had permission to provide the logs, and subsequently provided the logs to the FBI.<sup>5506</sup>

(U) Tamene told the Committee that he texted [REDACTED] on the night of April 29 and said “we have evidence that we’re compromised; I have the logs ready for you; let me know what you can do.”<sup>5507</sup> [REDACTED] responded by text and told Tamene “if you need us to help you next week, let me know. I see that you sent us the logs. Thank you.”<sup>5508</sup> Tamene told the Committee, “the tone here still wasn’t ‘fire drill’ or ‘evacuate.’ It wasn’t that. It was never that. Even after we had confirmed a compromise . . . there was no sense of urgency from him [SA [REDACTED]]”<sup>5509</sup> Tamene attributed [REDACTED] relative calm to the fact that he was a “cool customer” or that he had not seen the activity Tamene had seen.<sup>5510</sup> Tamene was nervous to attempt any remediation on his own because he did not want to “show [his] hand to the adversary, who may have full control of [the] network.”<sup>5511</sup>

(U) On Saturday, April 30, 2016, Sussmann emailed CrowdStrike President Shawn Henry to discuss a potential incident; on a phone call later that afternoon, Sussmann told Henry that “somebody at the DNC had seen some activity” and that there had been “prior communications . . . with the FBI,” and that Sussmann wanted CrowdStrike’s help.<sup>5512</sup> Later that day, Dacey, Reynolds, Brown, Tamene, Perkins Coie attorneys, and CrowdStrike employees Shawn Henry and Chris Scott had a phone call to discuss incident response options.<sup>5513</sup>

**(U) May 2016**

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<sup>5503</sup> (U) Dacey Tr., p. 5.

<sup>5504</sup> (U) *Ibid.*, p. 6.

<sup>5505</sup> (U) Tamene Tr., pp. 9–10; Dacey Tr., p. 6.

<sup>5506</sup> (U) [REDACTED] Tr., p. 43; Brown Tr., p. 23.

<sup>5507</sup> (U) Tamene Tr., p. 37.

<sup>5508</sup> (U) *Ibid.*, p. 38.

<sup>5509</sup> (U) *Ibid.*, p. 40.

<sup>5510</sup> (U) *Ibid.*, pp. 40–41.

<sup>5511</sup> (U) *Ibid.*, p. 39.

<sup>5512</sup> (U) Henry Tr., pp. 39–40.

<sup>5513</sup> (U) Tamene Tr., pp. 38–39; Brown Tr., p. 10. Henry doesn’t remember this phone call with the DNC but Brown, Tamene, and Dacey all recalled that CrowdStrike participated in this call.

[REDACTED]

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(U) On May 1, 2016, Sussmann, Henry, and one or two CrowdStrike employees discussed more information about the breach and started the paperwork for the DNC to retain CrowdStrike.<sup>5514</sup> Dacey called Congresswoman and then-DNC Chair Debbie Wasserman Schultz that Saturday to let her know “that there was a concern, that we had a problem that they thought was significant in the system and we needed more information, so that we had brought on CrowdStrike to help.”<sup>5515</sup>

(U) Dacey told the Committee that one of the reasons she chose CrowdStrike was because of Henry’s former FBI career, and that the DNC “encouraged [CrowdStrike] to talk directly to the FBI and that we wanted them to be coordinating and working with them once we knew about the breach.”<sup>5516</sup> That weekend, Tamene and his team wiped their computers and began using a newly created Gmail account to communicate about the incident.<sup>5517</sup>

(U) On May 2, 2016, CrowdStrike incident responder Robert Johnston called Tamene to discuss communication and security protocols.<sup>5518</sup> Johnston also gave Tamene a list of technical assets he needed from Tamene, [REDACTED].<sup>5519</sup> Johnston gave Tamene one of CrowdStrike’s Falcon sensors, a tool which detects nefarious activity presently occurring in the environment.<sup>5520</sup> Later on, the DNC.IT team also installed CrowdStrike’s Falcon Forensic Collector, which detects historical suspicious activity.<sup>5521</sup> Tamene told CrowdStrike about his earlier conversation with Agent [REDACTED] about [REDACTED], and CrowdStrike helped Tamene to [REDACTED] to figure out what was going on.”<sup>5522</sup> Henry recalled that during that initial week, CrowdStrike deployed 200 sensor devices on the DNC network.<sup>5523</sup> CrowdStrike did not do an assessment of the DNC’s defenses at the time of the attack because their focus was responding to the active intrusion.<sup>5524</sup> At the end of the investigation, the DNC

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<sup>5514</sup> (U) Henry Tr., pp. 40–41.

<sup>5515</sup> (U) Dacey Tr., p. 7. Wasserman Schultz remembered that Dacey came to speak with her on “April 20-something” and told Wasserman Schultz that there were two Russian spy agencies on the DNC’s network. Wasserman Schultz Tr., pp. 4–5. Based on Dacey’s testimony and CrowdStrike’s timeline of when it discovered the second actor, it seems likely that either Dacey and the Chair had multiple conversations relaying this information, or that the only conversation occurred in May, as Dacey remembered.

<sup>5516</sup> (U) Dacey Tr., p. 15.

<sup>5517</sup> (U) Tamene Tr., p. 47.

<sup>5518</sup> (U) *Ibid.*, p. 47.

<sup>5519</sup> (U) *Ibid.*, p. 48.

<sup>5520</sup> (U) *Ibid.*

<sup>5521</sup> (U) *Ibid.*

<sup>5522</sup> (U) *Ibid.*, pp. 48–49.

<sup>5523</sup> (U) Henry Tr., p. 41.

<sup>5524</sup> (U) *Ibid.*, p. 48.

[REDACTED]

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discovered that 37 of 700 hosts on the DNC's network were compromised, including a domain controller.<sup>5525</sup>

(U) During this same time period, SA [REDACTED] and Tamene had technical conversations [REDACTED].<sup>5526</sup> Tamene recalled that he had spoken with [REDACTED] on May 2, 2016, to let him know that CrowdStrike was working on the incident response.<sup>5527</sup> On May 3, 2016, Agent [REDACTED] notified Tamene of some areas where the FBI had [REDACTED] and asked the DNC to do further investigation on its systems.<sup>5528</sup>

[REDACTED].<sup>5529</sup> FBI notes show that on May 3, 2016, Robert Johnston, of CrowdStrike, reached out to the FBI to tell them that the DNC had retained CrowdStrike for the incident response.<sup>5530</sup>

(U) During the first week of May, Tamene worked with CrowdStrike and participated in daily calls with Brown, Reynolds, Dacey, CrowdStrike, and Graham Wilson of Perkins Coie.<sup>5531</sup> Tamene told the Committee that he spoke with Agent [REDACTED] after CrowdStrike was retained to confirm that [REDACTED] was "getting the information he need[ed] from CrowdStrike."<sup>5532</sup> When pressed about what exactly was shared with the FBI, Tamene told the Committee that he did not "know for a fact exactly what CrowdStrike gave Agent [REDACTED] but that "every time that the FBI asked the DNC, the DNC cooperated."<sup>5533</sup> Tamene told the Committee that he believed that, during the incident response phase, he "passed the baton" to CrowdStrike to deal with the FBI.<sup>5534</sup>

(U) Within a few days, CrowdStrike's sensors relayed that one threat actor, COZYBEAR, "had compromised certain email accounts. . . . Voice over IP servers . . . servers related to internal text messaging, [and] text messages in the environment . . . they had apparently been collecting intelligence going back to July of 2015."<sup>5535</sup> By mid-May,

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<sup>5525</sup> (U) Tamene Tr., p. 77.

<sup>5526</sup> (U) [REDACTED] Tr., p. 44.

<sup>5527</sup> (U) Tamene Tr., p. 53.

<sup>5528</sup> (U) [REDACTED] Tr., p. 44.

<sup>5529</sup> (U) *Ibid.*, p. 44.

<sup>5530</sup> (U) *Ibid.*, p. 54 ([REDACTED] referred to notes during his interview).

<sup>5531</sup> (U) Tamene Tr., p. 50.

<sup>5532</sup> (U) *Ibid.*, p. 53.

<sup>5533</sup> (U) *Ibid.*, p. 54.

<sup>5534</sup> (U) *Ibid.*, p. 56.

<sup>5535</sup> (U) Henry Tr., pp. 50–52.

[REDACTED]

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CrowdStrike “recognized that FANCYBEAR . . . had been in the environment as early as April 18<sup>th</sup> [2016].”<sup>5536</sup> Henry characterized the compromise of the network as “widespread.”<sup>5537</sup>

(U) Dacey told the Committee that “within a week after” bringing on CrowdStrike, Michael Sussmann called to tell her that CrowdStrike had identified one of the perpetrators of the attack as FANCYBEAR, “a state-sponsored foreign entity, Russian in nature.”<sup>5538</sup> During this same conversation, Sussmann told Dacey that FANCYBEAR had been “interested in the research files at the DNC” and that they “had exfiltrated a few files from the system” related to Trump research.<sup>5539</sup> A short time after her conversation with Sussmann, CrowdStrike alerted Dacey that they had found a second actor—COZYBEAR—that had been in the system for a longer time, and “seemed to be [REDACTED].”<sup>5540</sup> CrowdStrike told Dacey that “there was no indication” that COZYBEAR and FANCYBEAR had known of the other’s presence on the system.<sup>5541</sup>

(U) At some point during the remediation process, the DNC IT staff did see one indicator of potential exfiltration. According to Tamene, “it looked like someone took a bunch of files, zipped them, and then charred them to be a bunch of other files so that they can be small, 5-meg uploads out of that system.”<sup>5542</sup> Tamene told the Committee that the folder in the file share was called “Trump.zip.”<sup>5543</sup> Henry testified that CrowdStrike was “able to see some exfiltration and the types of files that had been touched” but not the content of those files.<sup>5544</sup>

(U) In mid-May, Tamene met with vendors as MIS, not as DNC IT staff, about obtaining new email systems and preparing the new technical infrastructure for remediation.<sup>5545</sup> CrowdStrike and the DNC IT staff determined that June 10, 2016, would be the day when the DNC switched to new systems.<sup>5546</sup>

(U) The Committee notes there is discrepancy in witness testimony regarding how communicative CrowdStrike was with the FBI during the incident response phase. On May 20, 2016, Agent [REDACTED] contacted Tamene for an update on the incident response; Tamene told

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<sup>5536</sup> (U) *Ibid.*, p. 58.

<sup>5537</sup> (U) *Ibid.*, p. 52.

<sup>5538</sup> (U) Dacey 9.

<sup>5539</sup> (U) *Ibid.*, p. 10. The Committee appreciated the DNC’s cooperative approach to sharing information that may have properly been protected by the attorney-client privilege.

<sup>5540</sup> (U) *Ibid.*, p. 11.

<sup>5541</sup> (U) *Ibid.*, p. 11.

<sup>5542</sup> (U) Tamene Tr., pp. 58–59.

<sup>5543</sup> (U) *Ibid.*, p. 58.

<sup>5544</sup> (U) Henry Tr., p. 60.

<sup>5545</sup> (U) Tamene Tr., p. 56.

<sup>5546</sup> (U) *Ibid.*, p. 57.

[REDACTED]

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[REDACTED] there had been some developments but that Tamene was unsure what he was authorized to share with the FBI.<sup>5547</sup> On May 26, 2016, [REDACTED] reached out to Tamene again, and Tamene told [REDACTED] he was authorized to share some information with the FBI, but did not actually share any additional information on that call. On May 31, 2016, [REDACTED] called Tamene again.<sup>5548</sup> During this call, [REDACTED] asked for an update and provided [REDACTED].<sup>5549</sup> Henry told the Committee that one of CrowdStrike's consultants spoke with [REDACTED] in May after the Falcon sensors were deployed.<sup>5550</sup> [REDACTED] timeline only includes one CrowdStrike call in May: the initial May 3, 2016 call from Robert Johnston to alert the FBI that CrowdStrike was working on the incident response.

(U) June 2016

(U) On June 10, 2016, the DNC had an all-staff meeting and asked its personnel to return their laptops and devices to the IT staff.<sup>5551</sup> Brown told the Committee: "most people thought they were getting fired. But we had to maintain operational secrecy...we didn't want to tip our hand to the intruders that we knew they were there."<sup>5552</sup> From June 10, 2016, to June 12, 2016, the DNC IT staff and CrowdStrike unplugged all of the old, potentially compromised systems, and worked to re-image devices and hardware for the new systems.<sup>5553</sup> DNC IT staffers used [REDACTED].<sup>5554</sup> The new network had security "baked in," [REDACTED].<sup>5555</sup>

(U) On June 13, 2016, Agent [REDACTED] contacted Tamene [REDACTED] to ask for an update on the incident response.<sup>5556</sup> Later that day, Sussmann and Henry called then-FBI Assistant Director for Cyber Jim Trainor to tell him that the DNC hack was going to be made public.<sup>5557</sup> On June 14, 2016, the DNC told the FBI that the workstations had been re-imaged and compromised servers were remediated.<sup>5558</sup> That afternoon, immediately prior to the release of an article in *The Washington Post*, Wasserman Shultz held a call with DNC officers, including Donna Brazile, to tell them that the DNC had been hacked by a foreign entity and that

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<sup>5547</sup> (U) [REDACTED] Tr., p. 48.

<sup>5548</sup> (U) *Ibid.*, pp. 48–49.

<sup>5549</sup> (U) *Ibid.*, p. 49.

<sup>5550</sup> (U) Henry Tr., p. 70.

<sup>5551</sup> (U) Brown Tr., p. 26.

<sup>5552</sup> (U) *Ibid.*

<sup>5553</sup> (U) Tamene Tr., p. 57; Brown Tr., pp. 26–27.

<sup>5554</sup> (U) Tamene Tr., p. 57.

<sup>5555</sup> (U) *Ibid.*, p. 59.

<sup>5556</sup> (U) [REDACTED] Tr., p. 49.

<sup>5557</sup> (U) Henry Tr., pp. 68–72.

<sup>5558</sup> (U) [REDACTED] Tr., p. 49.

[REDACTED]

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remediation was underway.<sup>5559</sup> Brazile remembered that the call occurred about five minutes prior to the *Post* story breaking.<sup>5560</sup> On the evening of June 14, 2016, *The Washington Post* published an article about the DNC hack, with quotes from DNC staff, Sussmann, and CrowdStrike employees.<sup>5561</sup>

(U) On June 15, 2016, Alperovitch published excerpts from CrowdStrike's analysis of the FANCYBEAR and COZYBEAR intrusions on CrowdStrike's blog.<sup>5562</sup> Later that day, after reading CrowdStrike's blog post, the FBI reached out to the DNC to ask for copies of the malware that CrowdStrike had collected.<sup>5563</sup>

(U) That same day, the GRU online persona Guccifer 2.0 made its first public appearance on a newly created website where it released "just a few docs from many thousands . . . I extracted when hacking into DNC's network."<sup>5564</sup> The initial Guccifer 2.0 blog release included the DNC's Trump research file.<sup>5565</sup> The Guccifer 2.0 persona's Twitter account became operational on June 20, 2016.<sup>5566</sup>

(U) As Brown remembers it, a day or two after *The Washington Post* story, "all of a sudden this Guccifer 2.0 persona pops up purporting to be the person, the individual, he claimed, who hacked into the DNC systems and started releasing files that had been purportedly stolen from the DNC."<sup>5567</sup> Brown told the Committee that there was "definitely an effort to review the materials that were being released by Guccifer . . . [by the] folks on the DNC research team and our legal counsel."<sup>5568</sup> CrowdStrike coordinated with the DNC to look at timelines of what had been exfiltrated.<sup>5569</sup>

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<sup>5559</sup> (U) SSCI Transcript of the Interview with Donna Brazile, January 22, 2018, p. 17.

<sup>5560</sup> (U) *Ibid.*

<sup>5561</sup> (U) Ellen Nakashima, "Russian government hackers penetrated DNC, stole opposition research on Trump," *The Washington Post*, June 14, 2016.

<sup>5562</sup> (U) Dmitri Alperovitch, "Bears in the Midst: Intrusion into the Democratic National Committee," CrowdStrike, June 15, 2016.

<sup>5563</sup> (U) [REDACTED] Tr., p. 50. Through CrowdStrike's investigation, the FBI learned that the DCCC had also been compromised. The FBI worked with the DCCC to remediate the issues and found the DCCC to be cooperative. Trainor 89–93.

<sup>5564</sup> (U) David Sanger, et al., "Tracing Guccifer 2.0's Many Tentacles in the 2016 Election," *The New York Times*, July 15, 2018. For more on the GRU's use of Guccifer 2.0 for its hack-and-leak campaign, see *infra* Vol. 5, Sec. III.B.

<sup>5565</sup> (U) *Ibid.*

<sup>5566</sup> (U) *Ibid.*

<sup>5567</sup> (U) Brown Tr., p. 31.

<sup>5568</sup> (U) *Ibid.*, p. 32.

<sup>5569</sup> (U) Henry Tr., p. 93.

[REDACTED]

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(U) Henry told the Committee that Guccifer’s claim of sole responsibility for the DNC hack was “very interesting . . . as an investigator . . . [as] an attempt just to refocus blame and throw investigators off the track.”<sup>5570</sup> Henry told the Committee that “operationalizing the intelligence” through leaks “was a major change in the stakes . . . Collection of intelligence and espionage is acceptable. The actioning of intelligence to have some type of an operational impact [was] . . . kind of a new paradigm.”<sup>5571</sup>

(U) On June 16, 2016, FBI personnel (including AD Trainor, Cyber Division Unit Chief [REDACTED], Section Chief [REDACTED], DNC CEO Amy Dacey, CrowdStrike President Shawn Henry, CrowdStrike employee Robert Johnston, and Michael Sussmann from Perkins Coie met to discuss how CrowdStrike and the FBI would work together going forward and any outstanding requests from the FBI.<sup>5572</sup> Henry characterized the collaboration as “absolutely” a “two-way street,” stating that the FBI and CrowdStrike had “[REDACTED]” throughout the investigation.<sup>5573</sup>

(U) Wasserman Schultz told the Committee that she “was never told that the FBI had any interest in or requested access to [the DNC] servers.”<sup>5574</sup> In fact, Wasserman Schultz said that she understood that the DNC cooperated with the FBI through the transition to the new servers, and that “if there was a request, we most definitely would have provided access to our servers.”<sup>5575</sup> Wasserman Schultz told the Committee that she believed her imperative as Chair was to “address the intrusions and make sure that whatever information the FBI would have needed, that they got it.”<sup>5576</sup>

(U) Trainor recalled that Henry and Sussmann had expressed frustration that the FBI had not notified the DNC of the FANCYBEAR and COZYBEAR intrusions earlier.<sup>5577</sup> But, as Trainor pointed out to Henry and Sussmann, the FBI had notified the DNC quickly and repeatedly about the FANCYBEAR intrusions in March-April of 2016.<sup>5578</sup> Trainor remembered describing the FBI’s ideal cooperation scenario at this meeting, and he recalled that the DNC

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<sup>5570</sup> (U) *Ibid.*, p. 91.

<sup>5571</sup> (U) *Ibid.*, pp. 91–92.

<sup>5572</sup> (U) Dacey Tr., p. 22, [REDACTED] Tr., p. 52, Trainor Tr., p. 56.

<sup>5573</sup> (U) Henry Tr., p. 69.

<sup>5574</sup> (U) Wasserman Shultz Tr., p. 23.

<sup>5575</sup> (U) *Ibid.*, p. 23.

<sup>5576</sup> (U) *Ibid.*, p. 25.

<sup>5577</sup> (U) Trainor Tr., p. 59.

<sup>5578</sup> (U) *Ibid.*

[REDACTED]

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response was: “we’ll give you everything you need.”<sup>5579</sup> Subsequently, Trainor had “several conversations with the law firm nearly every day from there on out.”<sup>5580</sup>

(U) On June 17, 2016, the day after the meeting at FBI Headquarters, Agent [REDACTED] reached out to Tamene asking for [REDACTED]; Tamene said he would ask for authorization to give [REDACTED] the information.<sup>5581</sup> Despite the initial meeting, and the fact that the DNC “[REDACTED] the DNC ultimately relayed to Trainor that it would give the FBI access to [REDACTED].”<sup>5582</sup>

(U) On June 20, 2016, CrowdStrike reached out to the FBI, and provided some of the indicators [REDACTED] had requested.<sup>5583</sup> CrowdStrike still had not provided the FBI with forensic images nor an unredacted copy of their report.<sup>5584</sup> Around this time, Trainor spoke to John Carlin, then-Assistant Attorney General of the National Security Division, about a grand jury subpoena in the DNC matter.<sup>5585</sup> Ultimately, Trainor believed that [REDACTED] was unnecessary because he “was able to get the DNC to cooperate to some degree or level that was satisfactory and allowed [the FBI] to pursue the investigation.”<sup>5586</sup> Trainor told the Committee that he was not aware of any situation during his tenure in the Cyber Division where the FBI ever used [REDACTED] to secure victim cooperation.<sup>5587</sup>

**(U) July 2016**

(U) On July 22, 2016, WikiLeaks began releasing emails captured from the DNC hack.<sup>5588</sup> Although Donna Brazile’s emails were among those publicly released, she said that she never received any official victim notification prior to or subsequent to those releases.<sup>5589</sup>

(U) On July 24, 2016, immediately prior to the start of the Democratic National Convention, Wasserman Schultz resigned as DNC Chair and Donna Brazile became Interim

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<sup>5579</sup> (U) *Ibid.*, pp. 57, 60.

<sup>5580</sup> (U) *Ibid.*, p. 57. During one of those calls, Trainor offered to brief the DNC, DCCC, RNC, and the Clinton Campaign at the classified level. *Ibid.* Trainor cannot remember if a classified threat briefing was offered to the Trump Campaign.

<sup>5581</sup> (U) [REDACTED] Tr., p. 52.

<sup>5582</sup> (U) Trainor Tr., p. 61.

<sup>5583</sup> (U) [REDACTED] Tr., p. 53.

<sup>5584</sup> (U) *Ibid.*, p. 53.

<sup>5585</sup> (U) Trainor Tr., pp. 24, 41.

<sup>5586</sup> (U) *Ibid.*, p. 40.

<sup>5587</sup> (U) *Ibid.*, p. 41.

<sup>5588</sup> (U) Tom Hamburger, Karen Tumulty, “WikiLeaks releases thousands of documents about Clinton and internal deliberations,” *The Washington Post*, July 22, 2016.

<sup>5589</sup> (U) *Ibid.*, p. 32.

[REDACTED]

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Chair.<sup>5590</sup> At around 1:00 p.m. that day, after speaking with Wasserman Schultz, Brazile ran into Mark Elias in the Logan Hotel lobby in Philadelphia.<sup>5591</sup> Elias told Brazile details of the hack, including background on the Russian actors and background on CrowdStrike, and he also told Brazile about the work Sussmann had been doing for the DNC.<sup>5592</sup> Elias also told Brazile that 127 of her emails had been released.<sup>5593</sup> Brazile asked Elias to have Sussmann set up a briefing from the FBI.<sup>5594</sup>

(U) In July, as additional material purportedly from the DNC was being released, Johnston called Tamene to ask for help in substantiating that some of the leaked emails were legitimate DNC emails. Specifically, Johnston wanted to know where emails that were older than the DNC retention policy were stored.<sup>5595</sup> As leaked emails were published, the DNC IT staff saw phishing attempts on staff's personal email accounts "or doxing from details that were released publicly through Wikileaks . . . there was a lot of activity targeting DNC staff."<sup>5596</sup> According to DNC IT Director Brown, activity targeting DNC staff was reported to the FBI on an ongoing basis.<sup>5597</sup>

**(U) August 2016**

(U) Brazile told the Committee that as Interim Chair in August, her "total focus" was cybersecurity.<sup>5598</sup> Brazile wanted to ensure that the DNC was making appropriate notifications to donors and staff whose personally identifiable information (PII) had been compromised, since she herself had PII compromised and had not been notified.<sup>5599</sup> Brazile also reviewed invoices at the DNC and discovered that the DNC had "recreated everything the FBI wanted . . . at a cost of over \$65,000."<sup>5600</sup>

[REDACTED] On August 2, 2016, the FBI asked CrowdStrike for additional information but "they [CrowdStrike] insisted DNC legal be involved so . . . that [didn't go] very far."<sup>5601</sup>

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<sup>5590</sup> (U) *Ibid.*, pp. 5–6.

<sup>5591</sup> (U) *Ibid.*, p. 37.

<sup>5592</sup> (U) *Ibid.*, p. 38.

<sup>5593</sup> (U) *Ibid.*, p. 38, 42.

<sup>5594</sup> (U) *Ibid.*, p. 39.

<sup>5595</sup> (U) Tamene Tr., p. 61.

<sup>5596</sup> (U) Brown Tr., p. 47.

<sup>5597</sup> (U) *Ibid.*, p. 47.

<sup>5598</sup> (U) Brazile Tr., p. 67.

<sup>5599</sup> (U) *Ibid.*, p. 67.

<sup>5600</sup> (U) *Ibid.*, p. 90.

<sup>5601</sup> (U) [REDACTED] Tr., p. 55.

[REDACTED]

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(U) In early August, DHS reached out to Andrew Brown to provide assistance to the DNC.<sup>5602</sup> Brown directed DHS to contact Sussmann.<sup>5603</sup> Brazile's response to additional aid from DHS was "let's get some help. We need help."<sup>5604</sup> On or about August 5, 2016, Brazile attended President Obama's birthday party at the White House. During the party, both National Security Adviser Susan Rice and Attorney General Eric Holder told Brazile that the DNC needed to cooperate with the FBI.<sup>5605</sup>

(U) On August 11, 2016, Brazile received a briefing at the FBI, which DNC Director of Transition Tom McMahon and DNC officers Henry Munoz and Ray Buckley also attended, along with Sussmann and Henry.<sup>5606</sup> At that briefing, AD Trainor and Cyber Division personnel walked through the Russia cyber threat.<sup>5607</sup> Brazile told the Committee that she thought the briefing was "professional" and "thorough" and that she believed it was her "duty as an American citizen" to direct the DNC to cooperate.<sup>5608</sup> Brazile said that the FBI never raised any issue with the DNC's cooperation during the briefing.<sup>5609</sup> Brazile told the Committee that when she left the FBI she "wanted to go straight to the Pentagon" because she felt like the DNC hack "was a major attack on our country."<sup>5610</sup>

(U) After meeting with the FBI, Brazile organized the DNC's Cyber Security Task Force, a group of about 30 volunteers from Silicon Valley, to conduct penetration testing, security assessments, and ongoing cybersecurity support for the DNC.<sup>5611</sup> Tamene told the Committee that the Task Force included the Chief Information Security Officer (CISO) of Google, the former CISO of Facebook, and employees from Lyft, Uber, and Coinbase, among others.<sup>5612</sup>

(U) On August 31, 2016, more than two months after AD Trainor met with senior DNC officials at FBI Headquarters, the FBI received a draft of CrowdStrike's report that ASAC [REDACTED] described as "heavily redacted."<sup>5613</sup> Trainor became frustrated and he told the Committee that

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<sup>5602</sup> (U) Brazile Tr., p. 81. Brazile recalled this as occurring on either August 4, 2016, or August 6, 2016.

<sup>5603</sup> (U) Brown Tr., p. 44.

<sup>5604</sup> (U) Brazile Tr., p. 82.

<sup>5605</sup> (U) *Ibid.*, p. 73.

<sup>5606</sup> (U) *Ibid.*, p. 69.

<sup>5607</sup> (U) *Ibid.*, p. 70.

<sup>5608</sup> (U) *Ibid.*, p. 79.

<sup>5609</sup> (U) *Ibid.*, p. 81.

<sup>5610</sup> (U) *Ibid.*, p. 80.

<sup>5611</sup> (U) *Ibid.*, p. 91.

<sup>5612</sup> (U) Tamene Tr., p. 63.

<sup>5613</sup> (U) [REDACTED] Tr., p. 55.

[REDACTED]

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when he finally received a copy of CrowdStrike’s report, he doubted its completeness because he knew that outside counsel had reviewed it.<sup>5614</sup>

**(U) September 2016**

(U) On or about September 21, 2016, Robert Johnston of CrowdStrike called Tamene to alert him to nefarious activity on the DNC’s Amazon Web Services (AWS) cloud account.<sup>5615</sup> The intrusion involved an actor using a compromised access key to look at the assets in AWS and determine what type of equipment the DNC had.<sup>5616</sup> CrowdStrike’s Falcon sensors triggered an alert on the DNC’s Command Hub, which helped the IT team find a September 2, 2016 log indicating [REDACTED]

After discovering that the AWS activity started September 2, 2016, DNC IT staff, CrowdStrike, Amazon Support staff, and the DNC’s Cyber Security Task Force worked together to remediate the incident.<sup>5619</sup> Tamene told the Committee that CrowdStrike was coordinating with the FBI about the intrusion, but he himself never spoke with Agent [REDACTED] or anyone from the FBI during this remediation.<sup>5620</sup> Brown told the Committee that the DNC had “worked with law enforcement around” the AWS incident; but, when asked about whether the FBI was involved, he said he did not know “the specifics of how law enforcement was involved at that point.”<sup>5621</sup>

**(U) October 2016**

(U) Henry told the Committee that “the FBI provided a request [for forensic images] to the DNC through Perkins Coie” and that Perkins Coie told CrowdStrike to “give the FBI what you have access to, what you can.”<sup>5622</sup> Henry recalled that CrowdStrike provided the FBI with forensic images, a copy of their report, and a USB with some malware on it.<sup>5623</sup>

(U) Brown, Tamene, Dacey, and Wasserman Schultz all told the Committee that the DNC cooperated with the FBI as much as possible. Brown said: “we gave the FBI everything they ever asked for. I’m not aware of any decision ever being made to deny a request that the

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<sup>5614</sup> (U) Trainor Tr., pp. 61, 63.

<sup>5615</sup> (U) Tamene Tr., p. 62; Brown Tr., p. 35.

<sup>5616</sup> (U) Tamene Tr., p. 66.

<sup>5617</sup> (U) *Ibid.*, pp. 66–67.

<sup>5618</sup> (U) *Ibid.*, pp. 69–70.

<sup>5619</sup> (U) *Ibid.*, pp. 62–63.

<sup>5620</sup> (U) *Ibid.*, pp. 64–65.

<sup>5621</sup> (U) Brown Tr., pp. 36–37.

<sup>5622</sup> (U) Henry Tr., p. 83.

<sup>5623</sup> (U) *Ibid.*, pp. 83–86.

[REDACTED]

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FBI made for something.”<sup>5624</sup> With respect to the confusion about whether or not the FBI had gotten direct access to the DNC’s servers, Brown told the Committee that “a lot of the servers were actually virtual servers” and that the DNC had taken and [REDACTED] of all of the running servers.<sup>5625</sup> Brown told the Committee that [REDACTED] [REDACTED], as far as I’m aware. And that was the level of access that was requested.”<sup>5626</sup> According to ASAC [REDACTED] on October 13, 2016, CrowdStrike sent the FBI a bill for \$4,000 for the forensic images that FBI requested.<sup>5627</sup>

(U) In October 2016, DHS briefed DNC and RNC staff on DHS’s Election Day activities, making both organizations aware that DHS was working with the states to secure voting infrastructure.<sup>5628</sup> Throughout October, the DNC IT staff continued to see intrusion attempts on their network.<sup>5629</sup> Brazile told the Committee that the DNC kept the FBI aware of each attempted intrusion.<sup>5630</sup> After each attempted intrusion, Brazile had a notification process whereby the DNC would alert the DCCC, the DGSC, the DGA, HFA, and the RNC.<sup>5631</sup> Brazile herself would notify the RNC.<sup>5632</sup> Brazile told the Committee that the last attempted intrusion she was aware of took place on October 26, 2016.<sup>5633</sup>

## 7. (U) Conclusions

(U) In many ways, the DNC hack was a novel scenario, fraught with confusion and miscommunication, inherently enmeshed in the domestic political space that FBI traditionally avoids. But in other ways, the DNC hack played out like a typical FBI cyber case—a victim reticent to cooperate with the FBI, a victim who subsequently hires a third-party cybersecurity vendor through counsel, potentially limiting the FBI’s access and insights. While the Committee understands that the FBI operates with limited resources and currently follows a victim-driven model when responding to cyber threats, it is clear to the Committee that the FBI could have, and should have, escalated its messages within the DNC much sooner than it did. The FBI complained about lack of access to the DNC servers and the refereeing of information by Perkins

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<sup>5624</sup> (U) Brown Tr., p. 34.

<sup>5625</sup> (U) *Ibid.*

<sup>5626</sup> (U) *Ibid.*, p. 35. The Committee notes that using forensic images of compromised systems is standard protocol in cyber investigations, because it removes the chance that information on the compromised systems could be altered or deleted by mistake.

<sup>5627</sup> (U) [REDACTED] Tr., p. 55.

<sup>5628</sup> (U) Brazile Tr., pp. 122–123.

<sup>5629</sup> (U) Tamene Tr., p. 72.

<sup>5630</sup> (U) Brazile Tr., p. 93.

<sup>5631</sup> (U) *Ibid.*, p. 97.

<sup>5632</sup> (U) *Ibid.*

<sup>5633</sup> (U) *Ibid.*, pp. 99–100.

[REDACTED]

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Coie, but ultimately it did not pursue compulsory process, and witnesses admitted that the FBI did eventually get what it needed.

**i. (U) Escalation**

[REDACTED] By the time the DNC retained CrowdStrike in May 2016, the FBI had identified two active cyber intrusions on the DNC's network—FANCYBEAR and COZYBEAR—both of which are associated with the Russian intelligence services.<sup>5634</sup> As Trainor told the Committee: “they had a real mess on their hands.”<sup>5635</sup> Trainor, a 20-year veteran of the FBI who spent the last third of his career on cyber issues, could not think of any other FBI investigation where the [REDACTED].<sup>5636</sup> As Henry put it, “the Russians are probably the most sophisticated foreign adversaries that we have seen in terms of their tactics . . . their stealthiness, and their creativity.”<sup>5637</sup>

(U) But the FBI did not treat the initial intrusion into the DNC like the mismatch it was: sophisticated foreign adversary versus nonprofit. When asked why the FBI did not just escalate the situation at the DNC, [REDACTED] ASAC [REDACTED] told the Committee that he wanted to protect [REDACTED] equities. But when pressed about whether the FBI ever discussed finding a cleared person at the DNC to receive a defensive briefing, [REDACTED] said he did not know whether those conversations had taken place.<sup>5638</sup> The FBI could have engaged with the DNC Chair, a sitting member of Congress, with a classified briefing, but they continued to engage the DNC's IT staff, despite the futility of those efforts over a period of months.<sup>5639</sup>

(U) DNC IT staffers suggested that more urgent warnings could have helped mitigate the threat sooner, and they contrasted the FBI's efforts during the 2016 cycle to the 2008 cycle.<sup>5640</sup> As Brown told the Committee: “the DNC had been targeted by Chinese APTs in 2008...[and] law enforcement had come to the office and met with the Chairman to tell them: we think you're under attack . . . that was not the level of outreach we were getting from the FBI in the fall of 2015.”<sup>5641</sup>

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<sup>5634</sup> (U) [REDACTED] Tr., p. 48.

<sup>5635</sup> (U) Trainor Tr., p. 51.

<sup>5636</sup> (U) *Ibid.*, p. 55.

<sup>5637</sup> (U) Henry Tr., p. 37.

<sup>5638</sup> (U) [REDACTED] Tr., p. 35.

<sup>5639</sup> (U) Wasserman Schultz Tr., pp. 32–33.

<sup>5640</sup> (U) *See, e.g.*, Tamene Tr. p. 80 (“it would have been better if people higher up than me were talking about these things.”); Brown Tr. p. 23 (“I would think that if the FBI had reason to believe that they thought we were actually compromised and that the actors were an APT-type of actor, that they would have given us a little more information, a little more urgency on that notification.”).

<sup>5641</sup> (U) Brown Tr., p. 22.

[REDACTED]

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(U) During an all-members brief to Congress about the Intelligence Community Assessment (ICA) in January of 2017, Congresswoman Wasserman Schultz confronted then-FBI Director Comey about the lack of engagement with DNC leadership during the hack.<sup>5642</sup> During that exchange, Director Comey defended the FBI and said they had properly engaged and that the Congresswoman should have a follow-up meeting with the FBI.<sup>5643</sup> Wasserman Schultz then met with the FBI, which she told the Committee “confirmed . . . that they didn’t do anything proactive to go up the chain of command in the DNC to ensure that we would know about their concerns that a Russian spy agency was on our network.”<sup>5644</sup>

**ii. (U) Engagement with CrowdStrike/Obtaining Necessary Investigative Materials**

(U) The biggest miscommunication between the DNC, CrowdStrike, and the FBI was the extent to which FBI received or did not receive the materials it needed for its ongoing investigations in a timely manner.

(U) DNC witnesses and CrowdStrike’s Shawn Henry indicated that the FBI received all of the materials it asked for, and that the FBI never complained about the DNC’s cooperation to Wasserman Schultz or Brazile.

(U) Henry told the Committee that CrowdStrike “had more than 100 exchanges back and forth with the FBI,” including FBI field offices, from May 2016 until September 2017.<sup>5645</sup> But Trainor characterized the DNC’s cooperation as “moderate” overall, and lamented that getting materials from CrowdStrike and the DNC was “slow and laborious in many respects.”<sup>5646</sup> Trainor testified that the manner in which the FBI received information from CrowdStrike—in a report reviewed by counsel—was not his preference. As Trainor told the Committee: “having that information [raw data about the computer intrusion] collected, fully viewed by an attorney, scrubbed, sent over to the FBI in a stripped-down version three weeks later is not optimal.”<sup>5647</sup>

(U) Trainor told the Committee that while it was common for victims to retain cybersecurity vendors, it was uncommon to have “everything thoroughly reviewed and vetted [by outside counsel] before being shared.”<sup>5648</sup> Trainor told the Committee that Perkins Coie

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<sup>5642</sup> (U) Wasserman Schultz Tr., p. 51.

<sup>5643</sup> (U) *Ibid.*, p. 53.

<sup>5644</sup> (U) *Ibid.*, p. 56.

<sup>5645</sup> (U) Henry Tr., pp. 67–68.

<sup>5646</sup> (U) Trainor Tr., pp. 45, 65.

<sup>5647</sup> (U) *Ibid.*, p. 35.

<sup>5648</sup> (U) *Ibid.*, pp. 63–65.

[REDACTED]

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asked the FBI for a list of forensic images and other technical information that the FBI wanted, and the FBI gave Perkins Coie that list.<sup>5649</sup> Ultimately, the FBI got what it needed, including the forensic images from CrowdStrike.

(U) As Trainor told the Committee, [REDACTED]. Not only does the victim entity know the system best, but multiple personnel on-site allows for skill gaps to be addressed and for expertise to be appropriately marshaled to meet the threat. Further, the use of a cybersecurity vendor and cybersecurity counsel as potential filters for information creates the impression—true or not—that the organization is not being fully transparent with the FBI. Despite what FBI felt was delayed or filtered cooperation, [REDACTED] given political sensitivities and the lack of any precedent for doing so.

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<sup>5649</sup> (U) *Ibid.*, pp. 66, 69.

**B. (U) The Steele Dossier: Its Origins and Handling**

**1. (U) Introduction and Findings**

(U) In the summer and fall of 2016, a set of memos that came to be known as the Steele dossier (“dossier”)<sup>5650</sup> circulated among limited circles in Washington and played a role in spurring Federal Bureau of Investigation (FBI), Congressional, and private investigations related to Russian interference in the 2016 elections. These memos, compiled by [REDACTED] Christopher Steele, alleged cooperation between Russian government officials and Trump Campaign officials, Trump Organization employees, and Trump himself, as well as information regarding Hillary Clinton, Russian cybercrime, and other topics. Nearly four years after Steele delivered the first of these memos, many of the dossier’s specific allegations about the activities of individuals are uncorroborated.

(U) The Committee did not seek to prove or disprove the assertions in the dossier. Instead, the Committee explored Steele’s methodology, explored the information available on Steele’s subsources, examined how the FBI handled Steele as a source, and sought to understand how the FBI investigated the assertions in Steele’s reporting.

(U) The Committee found that the tradecraft reflected in the dossier is generally poor relative to IC standards; the Department of Justice (DOJ) Office of the Inspector General (OIG)<sup>5651</sup> and many who the Committee spoke with at the FBI also found serious fault with Steele’s tradecraft. For example, FBI and DOJ OIG investigations discovered that Steele’s sources were sometimes several steps removed from the information they provided, and Steele did not adequately convey that separation in the memos. Further, some information Steele logically would have known did not appear in the documents for unclear reasons, and the Committee found several opportunities for interested parties to insert disinformation. The

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<sup>5650</sup> (U) This report refers frequently to a collection of memos Christopher Steele produced in the summer and fall of 2016 as “the dossier.” This term encompasses 20 memos—17 of them have been publicly released, and the Committee received three additional memos from FBI, which FBI had received from Steele. Rather than repeatedly refer to a particular memo written by Steele by its date and number, the Committee discusses the collection of memos as the dossier. The Committee notes that the memos that make up the dossier appear less polished than reports that Orbis Intelligence produced for its corporate clients and shared with the Department of State. Two of the additional memos the FBI provided the Committee did not originate with Steele: FBI got them from Steele, Steele got them from Jonathan Winer, who got them from Sydney Blumenthal, who got them from Cody Shearer, a freelance journalist. Shearer had compiled them as source notes for an eventual story. The Committee does not refer to those additional two memos as part of the larger Steele dossier. *See infra* Vol. 5, Sec. IV.B.4.viii.

<sup>5651</sup> (U) The DOJ OIG conducted three investigations cited in this Report: the *DOJ OIG FISA Report*; “Audit of the Federal Bureau of Investigation’s Management of its Confidential Human Source Validation Processes,” November 2019; and “A Review of Various Actions by the Federal Bureau of Investigation and Department of Justice in Advance of the 2016 Election, Appendix One,” June 2018.

[REDACTED]

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Committee was unable to establish a clear picture of the access and credibility of Steele's subsource network due to Steele's unwillingness to talk to the Committee, other than through written questions.

(U) The Committee found that, within the FBI, the dossier was given a veneer of credibility by lax procedures and layered misunderstandings. Before corroborating the information in the dossier, FBI cited that information in a FISA application. After a summary of the uncorroborated information was later appended to the ICA, the FBI also briefed it to the President, President-elect, and Gang of Eight, while noting that it was unverified.<sup>5652</sup> That high-level attention likely prompted the press to publish the dossier memos in January 2017.

(U) The dossier's creation was rooted in the end of the 2016 primary season. As Trump emerged as the Republican front-runner, Fusion GPS cofounder Glenn Simpson reached out to Democratic Party contacts to offer opposition research on Donald Trump, building on the research he had begun for a different client the year before. Fusion GPS is a consulting firm that claims to conduct in-depth research, largely focused on public records. Simpson had frequently worked on Russia-related issues in the past and represented different clients with different interests, including sometimes working for Russian oligarchs and sometimes against them.

(U) The Democratic National Committee (DNC) and the Hillary for America Campaign ("Clinton Campaign") worked through a law firm, Perkins Coie, to obtain opposition research, in part to preserve attorney-client privilege claims over the information.<sup>5653</sup> Perkins Coie, with Mark Elias acting as the main intermediary, hired Fusion GPS. Under that contract, Fusion GPS provided previously completed research and offered to continue to pursue several lines of inquiry: the outsourcing of Trump brand products overseas; Trump's taxes; and Trump Organization's overseas business projects, bankruptcies, casino issues, and alleged associations with organized crime. Simpson told the Committee that it was Fusion GPS's idea to pursue overseas ties—that research was not directed by Perkins Coie, the DNC, or the Clinton Campaign.

(U) Fusion GPS sought to go beyond the public records research it had already completed on Trump. It subcontracted with Steele's Orbis Business Intelligence (Orbis) in June 2016 to conduct research overseas, specifically in Russia. Steele turned to one main subsource in particular, who reached out to a subsource network in Russia and Europe in early June to collect

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<sup>5652</sup> (U) The FBI briefed the Gang of Eight the summary of the Steele material that was included in the ICA on the morning of January 6, 2017.

<sup>5653</sup> (U) Perkins Coie is a law firm that has long provided legal services for both the DNC and Clinton Campaign. Marc Elias served as the primary Perkins Coie intermediary. Brazile Tr., pp. 114, 128, 154–155.

[REDACTED]

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information on Trump's past dealings in Russia. Steele first debriefed the main subsource<sup>5654</sup> on June 16, 2016, but he continued to gather additional information through the fall.

(U) Steele delivered his first memo to Simpson on June 24, 2016, several days after *The Washington Post* published a report describing a Russian government hack into the DNC network. By mid-December, the dossier numbered 20 memos in total, spanning a wide range of topics and including Russian attempts to gather *kompromat* on Donald Trump and Hillary Clinton, ties between the Russian government and Trump-affiliated individuals, and reactions of both the Trump team and Moscow to press reporting on the hack of the DNC.<sup>5655</sup> It is unclear how many of these memos Perkins Coie actually briefed to the DNC or Clinton Campaign; senior staff at the Campaign organizations did not recall much of the information in the dossier being discussed.

(U) At the beginning of July, Steele reached out to FBI Special Agent [REDACTED], who had been Steele's handler for earlier FBI engagements, including Steele's provision of leads for FBI's investigation into the Fédération Internationale de Football Association (FIFA). Steele expressed concern about information he had received and sought to urgently inform FBI. On July 5, 2016, [REDACTED] traveled to [REDACTED] to meet with Steele and review his information.

(U) [REDACTED] considered Steele a credible source, and therefore [REDACTED] did not want to discount the reporting, despite its sensational nature. [REDACTED] worked to get Steele's first memo in the hands of the relevant division within the FBI. By the end of August, [REDACTED] received a point of contact in Counterintelligence Division who would receive the documents, but the Crossfire Hurricane team at FBI—responsible for investigating ties between the Trump Campaign and Russia—did not receive the documents until mid-September.

(U) In late July 2016, Steele met with another contact in the U.S. Government to communicate his concerns about Donald Trump, Russia, and the election. Steele and Bruce Ohr, then Associate Deputy Attorney General at the Department of Justice, who had known Steele in a professional capacity since 2007, met for breakfast in Washington, D.C. Steele conveyed his deep concern about Russian activities and told Ohr he had given his information to FBI.

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<sup>5654</sup> (U) Steele refers to his sources and subsources in a variety of ways. FBI refers to Steele often as a source, dropping others in Steele's source network to subsources and sub-subsources. This report refers to Steele as an FBI "source," to Steele's "main subsource," and to other "subsources" and "sub-subsources." For more on Steele's source network, see *infra* Vol. 5, Sec. IV.B.4.i.

<sup>5655</sup> (U) It remains unclear to what extent the Trump Campaign's members were aware of the dossier's existence, up until the President-elect received a briefing from Intelligence Community leaders in early January, 2017, and the dossier was published shortly thereafter.

[REDACTED]

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[REDACTED] By early October, FBI's Crossfire Hurricane team in the Counterintelligence Division had reviewed several of Steele's memos and [REDACTED] related notes. As the team evaluated this information, it did not have an adequate understanding of Steele's reporting history. Steele's reputation as a productive FBI confidential human source and [REDACTED] led to the FBI treating the memos as credible before they were corroborated, and FBI's vetting process for Steele himself was not sufficiently rigorous or thorough.

(U) The Crossfire Hurricane team requested a face-to-face meeting with Steele, which took place on October 3, 2016. The team attempted to learn more about Steele's subsource network, but Steele was unwilling to share details. The parties walked out of that meeting with widely varying views of Steele's obligations to the FBI.

(U) Steele briefed two people at Department of State on his work on the dossier. In September, Steele showed the dossier to Jonathan Winer, another long-time contact, then serving at the Department of State as Special Envoy to Libya.<sup>5656</sup> Winer's background was in countering international money laundering and organized crime, and he had done occasional private sector work for, and against, Russian oligarchs. Winer knew Steele because they shared a community of interest on Russian oligarchs and organized crime. Then, in mid-October, Steele met with Deputy Assistant Secretary of State for Europe and Eurasian Affairs Kathy Kavalec, conveying to her an overview of the allegations in the still-growing dossier. The Committee found that Department of State personnel granted the dossier credence in part based on Steele's past reports on Ukrainian political dynamics, which he during the past several years had shared with the Bureau of Europe and Eurasian Affairs.

[REDACTED] FBI submitted an application to the FISA court to surveil Carter Page. [REDACTED]

The FISA application and renewals were approved but later became the subject of an investigation by the DOJ OIG, which found "multiple instances in which factual assertions relied upon in the first FISA application were inaccurate, incomplete, or unsupported by appropriate documentation."<sup>5659</sup>

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<sup>5656</sup> (U) By 2016, Winer and Steele had known each other for nearly a decade, and the two would pass each other business leads occasionally. Winer Tr., pp. 11, 13. Winer told the Committee that he did not disclose to security officers at Department of State his ongoing relationship with Steele. Winer Tr. II, p. 25.

<sup>5657</sup> (U) For more information about Carter Page, see *infra* Vol. 5, Sec. III.F.

<sup>5658</sup> (U) The Foreign Intelligence Surveillance Court approves information collection under Title 1 for a period of 90 days; then the burden is on FBI to prove that continued surveillance is necessary and fruitful. FISC Rules of Procedure, Rule 16.

<sup>5659</sup> (U) DOJ OIG FISA Report, p. viii.

[REDACTED]

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(U) Simpson and Steele briefed major media outlets during September and October on the main findings from the dossier. Simpson was not expecting the reporters to write only based on these briefings, but he wanted to prompt them to ask questions of government officials, in particular of FBI officials. At the time, Steele was generally frustrated with the FBI's perceived slowness in responding to the allegations, and [REDACTED] said Steele was specifically frustrated that then-Director Comey on October 28, 2016, had reopened the investigation into then-candidate Hillary Clinton's emails. That frustration prompted Simpson and Steele to renew briefings for press outlets on the allegations in the dossier and encourage them to ask questions of the FBI about whether they were investigating Donald Trump. On October 31, 2016, *Mother Jones* was the first to publish an article summarizing the contents of Steele's memos and discussing Steele's background, though not naming him. *Mother Jones* was the only organization that published the story at that time.

(U) FBI officials, shocked by the article and viewing it as a confidential human source divulging information to the press, followed normal practice and terminated the relationship with Steele. Steele, for his part, had seen no obligation to keep the dossier information confidential.

(U) After the election, still seeking to prompt U.S. Government attention on the allegations in the dossier, Steele asked his friend and occasional business associate Sir Andrew Wood<sup>5660</sup> to alert Senator John McCain and McCain's staffer, David Kramer, to the existence of the dossier at a conference in Halifax, Canada, in mid-November. On November 28, Kramer flew to London to meet with Steele and review the dossier. Kramer soon after received copies of the memos from Simpson and passed them to Senator McCain. Over the next month, Kramer showed the memos to journalists and other contacts in and out of government in Washington, D.C.<sup>5661</sup>

[REDACTED]

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<sup>5660</sup> (U) Wood was the British Ambassador to Russia from 1995-2000 and also served in Russia from 1964-1966 and 1979-1982. Chathamhouse.org, "Sir Andrew Wood, Associate Fellow." Since his retirement from the British Foreign Service he has served as an independent consultant, including to a Russian investment fund called Renaissance Capital. Sophie Brodie, "Renaissance Capital hires former Moscow Ambassador," *Financial News London*, February 5, 2003.

<sup>5661</sup> (U) See *infra* Vol. 5, Sec. IV.B.6.

[REDACTED]

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(U) While FBI had formally ended its relationship with Steele in early November, Steele continued conversations with ADAG Ohr well into 2017. Ohr believed FBI was supportive of his interactions with Steele. By mid-November 2016, FBI began formally debriefing Ohr on his interactions with Steele, at one point asking Ohr to ask Steele to provide additional information to FBI. The DOJ OIG expressed qualms about this arrangement and found that several in the FBI considered it unorthodox.

(U) Aside from the FISA application and its renewals, the dossier information also appeared in summary form as an annex to the ICA, over some author objections. The annex noted that there was “limited corroboration” of the dossier summary information. In early December, President Obama tasked the IC with a comprehensive assessment of Russia’s involvement in the 2016 election. FBI—particularly Deputy Director Andy McCabe—requested that the dossier information be included in the assessment, pointing to the President’s request for comprehensiveness. CIA analysts pushed back on FBI’s request, seeing the memos as uncorroborated and questioning the sourcing. All three primary author agencies eventually compromised on summarizing the allegations in an annex to the assessment. In early January, a principal-level team from ODNI, CIA, FBI, and NSA briefed a highly compartmented version of the full assessment to the President, the President-elect, and the Gang of Eight. Then-FBI Director Comey briefed Trump one-on-one on the contents of the annex.<sup>5662</sup>

(U) On January 10, 2017, *BuzzFeed* published the contents of the dossier, noting that the claims were unverified, and citing a *CNN* story that the IC had briefed a summary of the information to President Obama and President-Elect Trump. The next day, *The Wall Street Journal* named Steele as the author. Over the following months, several of those mentioned in the dossier’s memos denied the allegations, with one, Aleksey Gubarev, a Russian technology executive, filing an unsuccessful defamation lawsuit against *BuzzFeed*.

(U) In May 2017, the SCO was established, ending FBI’s attempts to corroborate information in the dossier. In the end, few allegations were definitively corroborated, and SCO said its own leads and research overtook work to verify Steele’s findings.

**i. (U) Obstacles to the Committee’s Investigation**

(U) The Committee attempted several times, over the course of three years, to interview Steele about his work, at a time and location of his choosing, with whatever security precautions he requested. Several interlocutors purported to represent Steele’s interests to the Committee, including Adam Waldman, one of Russian oligarch Oleg Deripaska’s attorneys<sup>5663</sup>; Dan Jones, a

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<sup>5662</sup> (U) *DOJ OIG FISA Report*, pp. 179-182. For detailed information on the assessment, see *infra* Vol. 4.

<sup>5663</sup> (U) Waldman Tr., pp. 175-185. Starting in approximately September 2008, Adam Waldman began representing Deripaska in the United States. Short-Form Registration Statement pursuant to the Foreign Agents Registration Act

[REDACTED]

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former staffer on the Committee<sup>5664</sup>; and Steele's attorney, Robert Weinberg. Steele repeatedly refused a meeting, but provided one tranche of written answers to Committee questions on August 16, 2018.<sup>5665</sup>

(U) A further restriction on the Committee's investigative efforts was the centralization of information regarding the dossier within the SCO and the SCO's decision not to share that information with the Committee. FBI had begun efforts to corroborate accusations within the dossier in the fall of 2016, an effort that progressed slowly through the winter and into the spring of 2017. When the SCO began work in May 2017, however, all those efforts ceased at FBI. After that point, the Committee has limited insights into how or whether SCO pursued the dossier at all. SCO did not share the results of any further inquiries, to the extent any were undertaken, with the Committee. Special Agent in Charge David Archey briefed the Committee in July 2019 on the SCO's investigative process and information management:

*We [the SCO] were aware of the Steele dossier, obviously. We were aware of some of the efforts that went into its verification . . . we did not include Steele dossier reporting in the report. . . . [T]hose allegations go to the heart of things that were in our mandate—but we believed our own investigation. The information that we collected would have superseded it, and been something we would have relied on more, and that's why you see what we did in the report and not the Steele dossier in the report.*<sup>5666</sup>

Archey declined to provide further information on whether FBI or SCO attempted to verify information in the dossier, although he noted that the SCO did not draw on the dossier to support its conclusions.<sup>5667</sup>

(U) Finally, the Committee repeatedly asked the FBI for several additional pieces of information regarding its relationship with Steele and his subsource network. First, the

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of 1938, Registration No. 5934, May 8, 2009. Waldman remained registered under FARA until April 2018. Supplemental Statement pursuant to the Foreign Agents Registration Act of 1938, Registration No. 5934, May 31, 2018.

<sup>5664</sup> (U) Dan Jones told the Committee that "Steele did ask me to assist him in communicating with some parties." When asked who, Jones replied "The Senate Intelligence Committee. . . . At least in the case that I'm thinking of, the Senate Intelligence Committee reached out to me." Jones went on to explain that in referring to "the Committee," he meant the Minority Staff Director, with the consent of the Staff Director. Steele's attorney later told the Committee that Jones did not have the authority to speak for Steele. Jones served as a Professional Staff Member on the Committee from 2007 until 2015. SSCI Transcript of the Interview with Dan Jones, March 26, 2018, p. 27.

<sup>5665</sup> (U) The Committee submitted written questions to Christopher Steele in May 2018. He responded in August 2018 with 17 pages of answers. See Written Responses, Steele, August 16, 2018.

<sup>5666</sup> (U) SSCI Transcript of the Interview with David Archey, July 15, 2019, p. 86.

<sup>5667</sup> (U) *Ibid.*

[REDACTED]

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Committee asked FBI to provide additional information on Steele’s contributions to the FIFA investigation, including whether his leads implicated Russians, in particular associates of Oleg Deripaska. An answer to this question would have helped the Committee identify separation or alignment of the interests of Steele and Deripaska. The Committee also asked FBI to update and clarify its assessment of Steele’s subsource network, including its identification of a particular person as Steele’s main subsource. The FBI did not answer these requests.

**2. (U) Examining the Steele Dossier’s Creation and Sourcing**

**i. (U) Background on Steele**

(U) In the run up to the dossier’s creation, in the spring of 2016, Steele had a reputation among his associates for providing generally dependable reporting on issues regarding Ukraine, Russia, and countries in the region. In particular, he had a reputation within the FBI for providing valuable reporting regarding the FIFA scandal<sup>5668</sup> and among several at the Bureau of European and Eurasian Affairs at the Department of State for providing information on Ukraine that they regarded as largely credible. However, the Committee found information that calls into question the accuracy of Steele’s reporting.

**a. (U) Steele’s professional background**

[REDACTED]

[REDACTED] Open source information described him as serving in Moscow in the early 1990s under diplomatic cover, then running the Russia desk at BSIS headquarters.<sup>5670</sup> [REDACTED]

(U) David Kramer conveyed the following on Steele’s credentials:

*Based on what Sir Andrew told me and then based on my direct interaction with Steele, he’s someone who had extensive background in the Russia area itself, had served there for a few years back in the nineties, then left and set up his own*

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<sup>5668</sup> (U) In May 2015, the U.S. indicted 14 current and former FIFA officials and associates on corruption charges, following an FBI investigation. See “FIFA Corruption Crisis: Key Questions Answered,” *BBC*, December 21, 2015.

<sup>5669</sup> [REDACTED]

<sup>5670</sup> (U) Jane Mayer, “Christopher Steele, the Man Behind the Trump dossier,” *The New Yorker*, March 5, 2018.

<sup>5671</sup> [REDACTED] McCabe Tr., pp. 77–79. [REDACTED]

[REDACTED]

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*consulting company. And from what I gather, it seemed like he had impressive credentials; and we seemed in sync in terms of our analysis or interpretation of what was happening in Russia.*<sup>5672</sup>

[REDACTED] Steele [REDACTED]<sup>5673</sup> and founded Orbis Business Intelligence (Orbis).

(U) No witnesses claimed Steele had any orientation toward a U.S. political party. Winer, speaking as a long-time acquaintance of Steele's, said, "He's not political in partisan terms. It's not what he is about, in my opinion, at all. If he has any politics, it's about Putin, as in knowing what he is and not liking what he's done domestically and internationally."<sup>5674</sup> Kramer said "[Steele] felt that the relationship between the UK and the United States was unique; he valued it more than anything, and he felt that, as America's closest ally, that he had an obligation to bring [the dossier memos] to the attention of the right people and for it to be taken seriously."<sup>5675</sup>

[REDACTED] The Committee notes that Steele made an assertion during his debriefings with FBI and to the DOJ OIG about his relationship with [REDACTED]

[REDACTED]

(U) Steele told the DOJ OIG that he was "'favorably disposed' toward the Trump family before he began his research because he had visited a Trump family member at Trump Tower and 'been friendly' with [the family member] for some years. He described their relationship as 'personal' and said that he once gifted a family tartan from Scotland to the family member."<sup>5677</sup> The Committee did not obtain further information about Steele's claim of a friendship with [REDACTED].

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<sup>5672</sup> (U) Kramer Tr., pp. 7–8. Wood told *The Guardian* in January 2017 that he believed Steele was a "very competent professional operator," and "I do not think he would make things up. I don't think he would necessarily always draw the correct judgment but that's not the same thing at all." Luke Harding and Alice Ross, "Sir Andrew Wood, former UK-Moscow ambassador, consulted on Trump dossier," *The Guardian*, January 13, 2017.

<sup>5673</sup> [REDACTED]

<sup>5674</sup> (U) SSCI Transcript of the Interview with Jonathan Winer, July 10, 2017, p. 38.

<sup>5675</sup> (U) Kramer Tr., p. 29.

<sup>5676</sup> [REDACTED]

<sup>5677</sup> (U) *DOJ OIG FISA Report*, pp. 96–97 (brackets in original). The report did not specify which family member. The Committee notes Steele is likely referring, again, to [REDACTED]



[REDACTED]

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for these reports.<sup>5685</sup> The relationship deepened surrounding the FIFA investigation in 2011.<sup>5686</sup> [REDACTED] told the DOJ OIG that “minimally corroborated”—the description used in the FBI’s Human Source Vetting Report on Steele—was consistent with his understanding of the entire collection of Steele’s reporting to the FBI.<sup>5687</sup>

(U) [REDACTED] said that FBI officially named Steele as a Confidential Human Source in October 2013, in part because FBI wanted to compensate Steele for his assistance with the FIFA investigation. There was never a contract or a regular payment, although the formality of the relationship between the FBI and Steele was a subject of disagreement between the two parties.<sup>5688</sup> [REDACTED] told the Committee that FBI agents instructed Steele he was not allowed to disclose his work with the FBI.<sup>5689</sup> [REDACTED] said FBI looked for any derogatory information about Steele and his business in their databases, advised the [REDACTED] of the arrangement, and told Steele’s former [REDACTED].<sup>5690</sup> None of those steps resulted in concerning information. Steele became a confidential human source (CHS) for the FBI in 2013 and remained one until November 2016.<sup>5691</sup>

**3. (U) The Dossier’s Origins**

**i. (U) Before Steele’s Dossier: Simpson’s Preliminary Opposition Research into Trump**

(U) The dossier, and Steele’s activities, were entirely constructed under the umbrella of a contract with the DNC and Clinton Campaign, but Fusion GPS’s opposition research into Donald Trump began months earlier, during the Republican primaries. In the fall of 2015, Fusion GPS signed a contract with Paul Singer and the *Washington Free Beacon*, in which Fusion GPS would conduct research on Trump’s business dealings.<sup>5692</sup> While he began the research project generally neutral on Trump, Simpson said:

*I didn’t know anything about Trump in the beginning and had no opinion of him. . . . Over the course of whatever it was, six or seven months, I did develop—I made some judgments about this person and his character and integrity, and I felt by*

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<sup>5685</sup> (U) *Ibid.*, p. 13.

<sup>5686</sup> (U) *Ibid.*, p. 15.

<sup>5687</sup> (U) *DOJ OIG FISA Report*, p. 266.

<sup>5688</sup> (U) [REDACTED] Tr., p. 23; see also *DOJ OIG FISA Report*, p. 92.

<sup>5689</sup> (U) [REDACTED] Tr., p. 25.

<sup>5690</sup> (U) *Ibid.*, p. 33.

<sup>5691</sup> (U) *Ibid.*, p. 24.

<sup>5692</sup> (U) Fusion GPS invoice, October 20, 2015 (WFB\_SSCI\_0000004); Simpson Tr., pp. 15–16.

[REDACTED]

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*the spring that he was not suitable to be the President of the United States and that he did not have those kind of qualifications or character.*<sup>5693</sup>

(U) Simpson said as the primaries progressed, work for the *Washington Free Beacon* “sort of trailed off.”<sup>5694</sup> Simpson stated, “I just remember it becoming increasingly obvious that Donald Trump was going to be the nominee, and it became increasingly obvious to me that Republicans opposed to Donald Trump would have no need for my services soon.”<sup>5695</sup> However, Simpson had six months of research done, and he found the subject interesting. He said:

*At that point, this other opportunity came along to continue to look at these issues. And I was also, of course, intellectually interested in continuing the work. And so we took on a new client. But our old client and our new client basically had the same interest and the same concerns.*<sup>5696</sup>

**ii. (U) DNC and Clinton Campaign Seek Opposition Research on Trump**

(U) Fusion GPS approached their eventual new clients to offer research on Trump.<sup>5697</sup> In their recent book, *Crime in Progress*, Simpson and Fritsch report that the morning of March 1, 2016, “knowing a Trump nomination was now all but inevitable” and that the *Washington Free Beacon* clients would likely end their contract with Fusion GPS, Fritsch sent an email to a senior figure in the Democratic-Party establishment. The subject line was “Trump,” and the email read “Ok he has to be stopped. We have done the most on him.” The contact immediately responded “Yes. Let’s talk.”<sup>5698</sup> While Simpson says he “wasn’t a big fan of the Clintons,” there was soon “unanimity” on “the need to do what they could to keep Trump out of the White House.”<sup>5699</sup>

(U) Elias, the primary interlocutor between Perkins Coie and the Clinton Campaign, represented to the Committee that he believes he hired Fusion GPS in March or April of 2016

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<sup>5693</sup> (U) Simpson Tr., pp. 50–51.

<sup>5694</sup> (U) *Ibid.*, pp. 42–43.

<sup>5695</sup> (U) *Ibid.*

<sup>5696</sup> (U) *Ibid.*, p. 51.

<sup>5697</sup> (U) *Crime in Progress*, p. 54. Simpson would not answer whether Perkins Coie had been a client before and said he could not remember clearly who had reached out to whom first about Trump research. Simpson Tr., p. 56. However, in their book, Simpson and Fritsch clearly state they offered their services to Perkins Coie. *Crime in Progress*, pp. 55–57. Fritsch and Simpson published this book two years after Simpson’s interview with the Committee. Given Simpson’s unwillingness to share many details during that interview, the Committee cites this book to fill in gaps, much as the Committee cites press reporting, in full awareness that neither is considered testimony or bound by laws regarding lying to Congress. The Committee cites the book not to confirm the veracity of the information, but to point out Simpson’s purported view of the situation and the discrepancy between Simpson’s willingness to share information with Congress and the detail included in the book.

<sup>5698</sup> (U) *Crime in Progress*, p. 54.

<sup>5699</sup> (U) *Ibid.*, p. 55; Simpson Tr., p. 51.

[REDACTED]

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after Fusion GPS reached out to partners at Perkins Coie, but said at the time there was no Russia focus to the information provided.<sup>5700</sup> Simpson and Fritsch said in their book they sat down with Elias on April 20 to discuss the business arrangement. Elias told the two of them that the Clinton Campaign wanted to understand how Trump had managed to recover from a string of bankruptcies that should have ruined him: “Where did his money come from, how much did he really have, and who helped him?”<sup>5701</sup>

(U) Simpson understood the ultimate client for the research to be the DNC and the Clinton Campaign.<sup>5702</sup> However, for the purpose of the contract, Perkins Coie was the signatory. Simpson said the contract was a “general services agreement.” The contract is between “LC,” which is the corporate name of Fusion GPS, and Perkins Coie.<sup>5703</sup> The two parties likely finalized the contract sometime in May 2016.<sup>5704</sup> Elias told Fusion GPS to report only to him, so Fusion GPS’s communications could be solely with a lawyer and thus covered by attorney-client privilege, where the clients, in this case, were the DNC and the Clinton Campaign.<sup>5705</sup>

**iii. (U) DNC and Clinton Campaign Leadership Awareness of the Contract**

(U) Leadership at the DNC and Clinton Campaign were unaware—or at most marginally aware—that Perkins Coie had hired Fusion GPS. John Podesta, the Chairman of the Clinton Campaign, told the Committee that he had no reason to believe that anyone on the Clinton Campaign had any contact with Steele or Fusion GPS.<sup>5706</sup> He said “I have no first-hand knowledge about that.” When the Committee asked if Podesta had second-hand knowledge of Fusion GPS’s work with Steele or work on the dossier, Podesta said:

*I never saw a document that looks anything like the dossier. We were getting information coming in. Some of it was coming in from press inquiries. I don’t know how they got that information. So there’s a kind of web of connection that may have been fed by some of the stories that have been most sensational that are now associated with the dossier or circulating in the press. Where those came from, whether they originated with Fusion or other places, I don’t know.<sup>5707</sup>*

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<sup>5700</sup> (U) Attorney Proffer, Elias, May 21, 2018.

<sup>5701</sup> (U) *Crime in Progress*, p. 57.

<sup>5702</sup> (U) Simpson Tr., p. 58.

<sup>5703</sup> (U) *Ibid.*, p. 60.

<sup>5704</sup> (U) *Crime in Progress*, p. 59.

<sup>5705</sup> (U) *Ibid.*, p. 55.

<sup>5706</sup> (U) SSCI Transcript of the First Interview with John Podesta, September 18, 2017, p. 42. The Committee notes that Elias was representing Podesta at the interview. Elias did not raise his role hiring Fusion GPS or his direct knowledge of these matters. Podesta also acknowledged that he knew Glenn Simpson while the latter was working at *The Wall Street Journal*. *Ibid.*, p. 42.

<sup>5707</sup> (U) *Ibid.*, p.44.

[REDACTED]

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Podesta later said that, in his role as Campaign Chair, he would not necessarily have known whether the Clinton Campaign contracted with Fusion GPS.<sup>5708</sup> DNC and Clinton Campaign officials seemed to not know where the information was originating. Podesta told the Committee that “I didn’t know who Chris Steele was until after the election. And . . . I was unaware of the contents of [the dossier] until *BuzzFeed*, obviously, published it.”<sup>5709</sup> He also told the Committee that he had “no knowledge of who paid [Simpson] to contract with Steele.”<sup>5710</sup>

(U) Donna Brazile, who served as the Interim Chair of the DNC from late July 2016 until February of 2017, said that she was unaware of Steele’s activities. On November 4, 2016, she received press inquiries asking if she knew “MI-6 was on our payroll.”<sup>5711</sup> Brazile sent a text message to Elias, because she knew “the lawyers always sign off on contracts.”<sup>5712</sup> According to Brazile, Elias called her and said “You don’t need to know.” Brazile told the Committee: “And you know what? I let it go.”<sup>5713</sup> Brazile further told the Committee that she was not aware during her time as Interim Chair that any funding was used for opposition research.<sup>5714</sup> She also made clear that if she had known about Steele’s work, she would have passed it to FBI.<sup>5715</sup>

(U) Elias, the main interlocutor for Perkins Coie to the Clinton Campaign, represented to the Committee through counsel that he had independent authority to authorize expenditures on research. He had consulted with Clinton Campaign Manager Robby Mook about outside hires but only at a “high level.” Elias did not share the identity of the person or entity retained.<sup>5716</sup> While he was authorized to sign off on sub-vendors for Fusion GPS, Elias did not recall being told about Steele or Orbis, and he was unaware that Steele was providing non-public information gathered by human sources.<sup>5717</sup> Elias then became aware of Steele in June or July 2016, although the context of that awareness is unclear.<sup>5718</sup>

(U) Steele in his written responses to the Committee said that he became aware of Perkins Coie in August and met Elias in September.<sup>5719</sup> [REDACTED] remembered Steele saying that he

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<sup>5708</sup> (U) *Ibid.*, p.47.

<sup>5709</sup> (U) *Ibid.*, p.41.

<sup>5710</sup> (U) *Ibid.*, p.43.

<sup>5711</sup> (U) Brazile Tr., p. 124.

<sup>5712</sup> (U) Brazile told the Committee that her text to Elias said “MI-6 on our payroll? Need to know.” *Ibid.*, p. 126.

<sup>5713</sup> (U) *Ibid.*, p. 127. For more on “I let it go,” see *ibid.*, p. 134.

<sup>5714</sup> (U) *Ibid.*, pp. 137, 140.

<sup>5715</sup> (U) *Ibid.*, p. 147.

<sup>5716</sup> (U) Attorney Proffer, Elias, May 21, 2018.

<sup>5717</sup> (U) *Ibid.*

<sup>5718</sup> (U) *Ibid.*, p. 3.

<sup>5719</sup> (U) Written Responses, Steele, August 16, 2018.

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was working for a law firm—name unspecified—when they met in early July.<sup>5720</sup> Steele told the DOJ OIG that by late July 2016, he had met with Simpson and “an attorney” from Perkins Coie.<sup>5721</sup>

(U) Simpson implied in his interview with the Committee—but would not state outright—that Perkins Coie knew he had hired a subcontractor, along with pursuing other overseas lines of inquiry.<sup>5722</sup> In his book, Simpson said that Elias “had never even heard of Steele. While Elias was aware that Fusion had engaged someone outside the United States to gather information on Trump’s ties to Russia, he did not ask who it was or what the person’s credentials were.”<sup>5723</sup>

(U) Elias represented that the charges associated with Fusion GPS were around \$60,000 per month, unevenly split between the Clinton Campaign and the DNC, including the \$10,000 per-month fee paid to Perkins Coie.<sup>5724</sup>

(U) The Committee was unable to fully establish how much of the Steele information was actually transferred to the DNC and the Clinton Campaign. As a general practice, Fusion GPS passed research back to Elias weekly, sending both original source materials and summary documents.<sup>5725</sup> Simpson would not say whether or when he gave the memos to Perkins Coie.<sup>5726</sup> Elias, through counsel, did not provide details on what information he provided to the DNC or the Clinton Campaign, citing attorney-client privilege. His attorneys conveyed that he provided “advice on communications strategies and the information from Fusion when warranted. Such information was infrequent, provided orally, and given to both the Clinton Campaign and the DNC.”<sup>5727</sup>

(U) Robby Mook told the Committee that counsel starting in the summer had briefed him, Podesta, Clinton Campaign Communications Director Jen Palmieri, Jake Sullivan, and Glenn Caplan (a communications staffer) on “pieces of the reporting” in the dossier.<sup>5728</sup> The briefings were oral, generally, but Mook remembered one paper memo that counsel distributed then retrieved at the end of the meeting.<sup>5729</sup> Palmieri told the Committee she never saw the dossier during the campaign, but she also recalled the Elias briefings: “I don’t recall the term

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<sup>5720</sup> (U) [REDACTED] Tr., p. 38.

<sup>5721</sup> (U) *DOJ OIG FISA Report*, p. 96.

<sup>5722</sup> (U) Simpson Tr., p. 100.

<sup>5723</sup> (U) *Crime in Progress*, p. 80.

<sup>5724</sup> (U) Attorney Proffer, Elias, May 21, 2018.

<sup>5725</sup> (U) *Ibid.*

<sup>5726</sup> (U) Simpson Tr., p. 114.

<sup>5727</sup> (U) Attorney Proffer, Elias, May 21, 2018.

<sup>5728</sup> (U) SSCI Transcript of the Interview with Robby Mook, January 26, 2018, p. 27.

<sup>5729</sup> (U) *Ibid.*, pp. 28–29.

[REDACTED]

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‘dossier’ being used. He had reports. Some of the things . . . that I know are in the dossier. Some of the things that I have read are in the dossier I had heard about from Marc, including the famous encounter at the hotel.”<sup>5730</sup> Congresswoman Debbie Wasserman Schultz told the Committee she had no awareness of the dossier, Steele, or Simpson, until the dossier and those names appeared in the press.<sup>5731</sup>

(U) The Committee also asked Mook whether he found the briefings by Elias to be alarming enough to warrant sharing the information with law enforcement. Mook said “No, I don’t recall ever feeling like we had sufficient evidence to go to law enforcement with anything.”<sup>5732</sup>

(U) Simpson told the Committee that the research contract with Perkins Coie was generally open-ended, as most of his contracts are. He said that Fusion GPS does not let clients define the research; rather, Fusion GPS demands the flexibility to pursue whatever research they wish.<sup>5733</sup> Further, Simpson said he often has some freedom to use the information he collects in ways separate from the contract. Simpson said the report belongs to the client, but the information is public, and Simpson indicated he could do as he wanted with it.<sup>5734</sup>

(U) For this project, Fusion GPS pursued several lines of inquiry: outsourcing of Trump brand products, taxes, overseas projects, bankruptcies, casino issues, and associations with organized crime.<sup>5735</sup> During their initial meeting, Simpson and Fritsch briefed Elias on Trump links to Russia. They said, “This angle was all new to Elias, and he loved it.”<sup>5736</sup> Simpson said it was Fusion GPS’s idea to pursue overseas ties:

*We weren’t pursuing ties between the Russian government and the Trump campaign. . . . We were interested in Donald Trump’s business trips to Russia, much as we were interested in his other trips elsewhere. . . . It was just kind of my general assumption that he couldn’t get a deal done over there because of all the corruption, and that there might be some [Foreign Corrupt Practices Act] issues*

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<sup>5730</sup> (U) SSCI Transcript of the Interview with Jennifer Palmieri, February 9, 2018, pp. 37–38.

<sup>5731</sup> (U) Wasserman Schultz Tr., pp. 54–55.

<sup>5732</sup> (U) Mook Tr., p. 48.

<sup>5733</sup> (U) Simpson Tr., p. 18.

<sup>5734</sup> (U) *Ibid.*, pp. 19–20. Simpson told the Committee that it is rare he works with a presidential campaign, generally because his services are expensive. “Every few years, if the market is there we’ll do a presidential campaign. Generally speaking, our price structure prices us out of the campaigns and elections market except for in presidential years.” *Ibid.*, pp. 8-9.

<sup>5735</sup> (U) *Ibid.*, p. 58.

<sup>5736</sup> (U) *Crime in Progress*, pp. 58–59.

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*that were lurking in all of this. So that's kind of the way I ended up retaining Chris Steele.*<sup>5737</sup>

**iv. (U) Fusion GPS Contract with Steele**

(U) Simpson hired Steele in May or June of 2016.<sup>5738</sup> Simpson told the Committee that “By the time we got to June, or actually probably May, and I realized I was going to have resources to explore some of these issues further. . . . I realized that we were getting close to exhausting the open source. . . . So I decided that it was time for some human intelligence.”<sup>5739</sup>

(U) Through networking, Fusion GPS often hired experts from around the globe on specific topic areas.<sup>5740</sup> Simpson said, “A big part of our work is in fact talent spotting and finding people who are reliable. It’s something that journalists develop a skill and experience in doing. The term ‘reliable sources’ is out there for a reason. So it’s one of those habits that you develop in a lifetime of journalism, figuring out who’s telling you the truth and who’s reliable.”<sup>5741</sup> Simpson assessed that Steele was among the best at research inside Russia.<sup>5742</sup> Simpson recalled that he met Steele after they were introduced by a mutual friend, possibly Alex Yearsley, in approximately 2009. Simpson recalled that he and Steele were “in touch intermittently over a period of I guess six or seven years.”<sup>5743</sup>

(U) [REDACTED] told the Committee “There are other people who do the same thing Chris does. Why Simpson went to him and not somebody else, I have absolutely no idea.”<sup>5744</sup> Simpson hired Orbis—as opposed to a US-based firm, for example—because they had worked together successfully in the past and he was impressed with the work, according to David Kramer.<sup>5745</sup> Kramer also thought Simpson and Steele had worked together on the FIFA investigation.<sup>5746</sup> To the best of Simpson’s recollection, he had not hired Steele before on Russia issues.<sup>5747</sup>

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<sup>5737</sup> (U) Simpson Tr., pp. 64–65.

<sup>5738</sup> (U) *Ibid.*, p. 42.

<sup>5739</sup> (U) *Ibid.*, p. 98.

<sup>5740</sup> (U) *Ibid.*, p. 10.

<sup>5741</sup> (U) *Ibid.*, pp. 11–12.

<sup>5742</sup> (U) Simpson Tr., p. 92; Kramer Tr., p. 10. Winer thought perhaps he had introduced Simpson and Steele, but he was not sure. Winer Tr., p. 67. Simpson and Steele met in the spring or summer of 2009. Simpson Tr., pp. 78–79. (“It was a pretty casual relationship for a long time. He would come to Washington and look me up and we would talk about oligarchs and kleptocrats and Putin, and I would do the same when I was in London. We tried to help each other develop business, corporate clients, the usual thing. Over time we did give each other subcontracts.”)

<sup>5743</sup> (U) Simpson Tr., pp. 68–69, 78.

<sup>5744</sup> (U) [REDACTED] Tr., p. 71.

<sup>5745</sup> (U) Kramer Tr., p. 10.

<sup>5746</sup> (U) *Ibid.*, p. 22.

<sup>5747</sup> (U) Simpson Tr., p. 115.

[REDACTED]

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(U) [REDACTED] told the Committee that his understanding of the tasking from Simpson to Steele was “Find out about Donald Trump’s business ties in Russia.” The Committee saw no indication that information Steele gleaned about Clinton was also part of the tasking.<sup>5748</sup> The initial contract between Fusion GPS and Orbis was for one month. Fusion GPS paid a flat rate; Simpson remembered between \$20,000 and \$30,000 per month. Fusion GPS ultimately paid Orbis about \$160,000, according to Simpson and documents provided to the Committee.<sup>5749</sup>

(U) Fusion GPS’s work for Perkins Coie ended on Election Day.<sup>5750</sup> Steele’s final memorandum was completed on December 13, 2016. No one paid for it.<sup>5751</sup>

**v. (U) Steele Creates the Reports that Become the Dossier**

[REDACTED] In early June 2016, under the contract with Fusion GPS, Steele reached out to his existing subsource network and a small number of new subsources for any information on Donald Trump’s business interests.<sup>5752</sup> [REDACTED]

[REDACTED] On June 20, he issued the first of the dossier memos.

(U) Several witnesses conveyed that Steele was deeply disturbed by the reports. Judging from the testimony of Simpson, [REDACTED] and Winer, Steele interpreted the information he received as *kompromat* on Trump—a way for Moscow to influence, or even blackmail, a presidential candidate. Simpson recalled that Steele immediately expressed concern that the information reflected a “major security problem; this is a national security issue for [the United States].”<sup>5754</sup> Steele said he was obligated to report the perceived *kompromat* to some authority.<sup>5755</sup> Simpson did not object, but also did not advocate for it. He deferred to Steele’s judgment.<sup>5756</sup> Simpson said he was not sure who he would tell, even if they were obligated to report it:

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<sup>5748</sup> (U) [REDACTED] Tr., p. 73.

<sup>5749</sup> (U) Simpson Tr., pp. 157–159; Bean LLC, statement of account August 2016 (CLMSSCI000012); Bean LLC, statement of account October 2016 (CLMSSCI000017); Bean LLC, statement of account November 2016 (CLMSSCI000021); Bean LLC, statement of account January 2017 (CLMSSCI000025). Fusion GPS’s production to the Committee shows \$162,139.84 paid to Orbis, including a payment in January 2017 for \$53,970. Simpson did not know the reason for the January payment, but speculated it was closing out the account. Simpson Tr., p. 159.

<sup>5750</sup> (U) Simpson Tr., p. 155.

<sup>5751</sup> (U) Written Responses, Steele, August 16, 2018; *see also* Simpson Tr., pp. 155-156.

<sup>5752</sup> (U) Written Responses, Steele, August 16, 2018; *see also* Simpson Tr., p. 70.

<sup>5753</sup> [REDACTED]

<sup>5754</sup> (U) Simpson Tr., p. 113.

<sup>5755</sup> (U) *Ibid.*, p. 116.

<sup>5756</sup> (U) *Ibid.*, p. 117.

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*I'm working for a political campaign and there are rules at the Justice Department about getting involved in political campaigns, and it's a stupid thing to do to try to sort of get a law enforcement investigation of the other side. It's just dumb.*<sup>5757</sup>

(U) Simpson was unspecific with the Committee about his client's awareness of Steele's interactions with FBI on this issue. He said, "I can tell you that I did not ask my client whether we could [report it], and my client didn't direct me to do this. At the time it was done, my client was not aware it was being done."<sup>5758</sup> Simpson in his book said that he and his business partner decided not to tell Elias that Steele was sharing information with the FBI,<sup>5759</sup> Elias represented to the Committee through his attorneys that he did not authorize or direct Fusion GPS to provide any information to any U.S. law enforcement or intelligence organizations.<sup>5760</sup>

(U) Simpson told the Committee that the first memorandum was couriered hard copy to Fusion GPS's Washington, D.C. offices, sometime near June 20.<sup>5761</sup> Simpson read the information in the context of the Russian hack of DNC systems,<sup>5762</sup> which had been published in *The Washington Post* on June 14.<sup>5763</sup> He described his initial reaction to the first Steele report:

*It wasn't like I was at that point harboring some suspicion that there was some connection between the Russian government and the Trump campaign. To the contrary. We weren't looking for information about sexual activities and we weren't looking for Kremlin KGB conspiracies. . . .*

*I guess a lot of other people would have thrown it in the trash maybe because it seemed like it was too crazy to believe. But I had worked with Chris for a long time and I had exposure to Russian influence operations from covering that at the Journal. So I didn't throw it in the trash, and I was concerned at that point it*

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<sup>5757</sup> (U) *Ibid.*, p. 117.

<sup>5758</sup> (U) *Ibid.*, p. 119.

<sup>5759</sup> (U) *Crime in Progress*, p. 80.

<sup>5760</sup> (U) Attorney Proffer, Elias, May 21, 2018.

<sup>5761</sup> (U) Simpson Tr., p. 112. In his book, however, Simpson wrote that Steele did not want to send the package via email, and a human courier was "expensive and time consuming and carried its own risks. So Steele called FedEx." The package did not show up on June 23, when it was due to arrive, because two FedEx delivery attempts failed. Simpson finally received the report on or around June 24. *Crime in Progress*, p. 75.

<sup>5762</sup> (U) *Crime in Progress*, p. 75. It is unclear whether Simpson knew about the hack of the DNC servers before *The Washington Post* article: "The moment was already fraught. Not long before, Fusion had learned that the Democratic National Committee's computer systems had been thoroughly breached by Russian hackers in March 2016, a fact later reported by the Washington Post on June 14, 2016."

<sup>5763</sup> (U) Ellen Nakashima, "Russian government hackers penetrated DNC, stole opposition research on Trump," *The Washington Post*, June 14, 2016.

[REDACTED]

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*might be true. And my client had just been hacked and told by the FBI that it was the Russian government.*<sup>5764</sup>

**4. (U) Examining the Dossier’s Sources and Tradecraft**

(U) Steele defined his subsources in two categories: first, “confidential service providers or external ‘associates’ of Orbis BI and tasked and debriefed by us directly.” The Committee assesses that the main subsource is one of these “associates.” The FBI refers to the same person or group of people as “agent handler.” The second category are people “who typically have direct access to the intelligence, are tasked and debriefed by [an associate] and who are typically unaware of Orbis BI or the identity of the ultimate client and are not paid for information.”<sup>5765</sup> The Committee refers to this category as sub-subsources. Steele told the FBI on October 3, 2016:

[REDACTED]

Steele said his associates, who the Committee refers to as subsources, met their sub-subsources face-to-face, and also said that some sub-subsources transmitted information to the subsources by “encrypted electronic communications systems,” but “such exchanges . . . were restricted as a rule to interactions outside Russia and the CIS.” Some subsources, or associates, were paid on a fixed monthly retainer, others were not, and “none were financially incentivized to obtain any particular information.” According to Steele, his sub-subsources were not paid and were not aware that their information was being passed to Orbis or Fusion GPS.<sup>5767</sup>

(U) [REDACTED] placed Steele’s subsource network generally in the larger picture of Russian organized crime and government:

*The Russian and Eurasian environment in terms of criminal activity, you have true organized crime members, the guys with the gulag tattoos. You have businessmen, some of the wealthiest businessmen in the world... You have politicians. And from over there, it’s all like this [indicating intertwining]... So if he’s got a source network that is tapped into whatever level or strata that I just*

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<sup>5764</sup> (U) Simpson Tr., pp. 65–67.

<sup>5765</sup> (U) Written Responses, Steele, August 16, 2018.

<sup>5766</sup>

<sup>5767</sup> (U) Written Responses, Steele, August 16, 2018.

[REDACTED]

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*described over there, it's going to touch—and it did—different aspects of that realm.*<sup>5768</sup>

**i. (U) Questions on the Credibility of Steele's Source Network**

**a. (U) Steele's Confidence in His Source Network and Product**

(U) Steele repeatedly expressed confidence in his sub-sources to a number of Committee witnesses while withholding the sub-sources' identities, in line with the practice of professional intelligence services. Steele further told the Committee in his written responses to questions that "We judged *all* of our [sub-sources] were 'credible.'"<sup>5769</sup> [REDACTED] said:

*He had confidence in his sources and his source network. [These allegations were] so outlandish, and I told him, I said: you've got to be kidding me. People are going to look at me when I send this back like: Get out of here. He had complete confidence in his sources is what I can say.*<sup>5770</sup>

(U) Simpson said he was less concerned about who the sub-sources were than their credibility and access to the information. "At the end level it's: Who's this person closest to in Moscow? Does he work in Sechin's office? Is she sleeping with so-and-so? . . . you want to know is that person in a position to know what they're saying."<sup>5771</sup> Simpson also emphasized his concern that a leak of a sub-source's or sub-sub-source's identity could be fatal.

(U) David Kramer said that, regarding the dossier, "I think he felt quite confident overall about it. I do think that there were some pieces in there he felt that were on firmer ground than others." Kramer cited the entry in the dossier about an alleged Michael Cohen trip to Prague as one example: "it could have been in Prague, it could have been outside of Prague. He also thought there was a possibility it could have been in Budapest. . . [but Steele] never backed off the idea that Cohen was in Europe."<sup>5772</sup>

(U) On one of the central allegations in the intelligence collected by Steele, that Russia had compromising information on then-candidate Trump, Kramer also conveyed Steele's level of confidence: "I had the impression that he was fairly confident about it. Did he think it was ironclad? I didn't have that impression. He did tell me that he had also heard that there was

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<sup>5768</sup> (U) [REDACTED] Tr., pp. 11-12.

<sup>5769</sup> (U) Written Responses, Steele, August 16, 2018. Emphasis is Steele's.

<sup>5770</sup> (U) [REDACTED] Tr., p. 89.

<sup>5771</sup> (U) Simpson Tr., p. 103.

<sup>5772</sup> (U) Kramer Tr., p. 31.

[REDACTED]

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video of a second hotel scene, from St. Petersburg, that was not put in the memos. But I don't know the level of confidence he had in that."<sup>5773</sup>

(U) Simpson drew from his own experience as a journalist to qualify the support for the memos, stating the memos did not meet journalistic standards for publication:

*What I would liken it to in a journalistic category is my notes. You go out and you do a bunch of interviews and you talk to ten people . . . and like I said, seven of them seem to be telling the truth, but have trouble getting the facts straight, and then there's three liars . . . if it was a finished Wall Street Journal story, we would delete the crackpots and the people who just can't keep track of whatever, and [Steele] may have done some of that. But it wasn't the kind of finished report you would give a client in ordinary circumstances.*<sup>5774</sup>

(U) When the Committee asked if he had ever attempted to independently verify Steele's work, Simpson said "I guess I'd put it in a kind of negative context, which is I never had an occasion where his work proved to not be reliable."<sup>5775</sup> Simpson continued:

*When we got these memos, we would do all kinds of public record work and things in my office to figure out whether what people were telling Chris was plausible and credible. Does this person really exist? Was he in this place at the time that he said that they were?*<sup>5776</sup>

That research produced nothing conclusively contradictory. According to Simpson: "Nothing that I have seen disproves anything in the dossier. Which isn't to say I think it's all true. I don't think Chris thinks it's all true, either. But there's a difference between things being fake or a hoax or a fraud or a lie and things being incorrect."<sup>5777</sup>

**b. (U) Limited Insight into Subsources' Identity and Access**

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<sup>5773</sup> (U) *Ibid.*, pp. 34–35.

<sup>5774</sup> (U) Simpson Tr., pp. 106–107. Simpson later said the British style of intelligence collection is more journalistic. For example, he said, "When I write a newspaper article for the Washington Post about the plane crash, I put ten people in who saw the plane crash and some people say the left engine was on fire, and other say it was the right . . . I'm a journalist, so I don't have to figure out who is right." *Ibid.*, p. 110.

<sup>5775</sup> (U) *Ibid.*, p. 93.

<sup>5776</sup> (U) *Ibid.*, p. 96.

<sup>5777</sup> (U) *Ibid.*, p. 171.

[REDACTED]

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(U) Most recipients of Steele’s memos had very little information on the quality of the subsource network and took Steele at his word that they were credible.<sup>5778</sup> Simpson, for example, did not know the identities of Steele’s subsource network. He said, “Chris is very guarded about this stuff. So I don’t have any names.”<sup>5779</sup> [REDACTED] said he never talked to Steele about how he vetted his source network. “From the criminal side, we weren’t concerned about the identities of his [sub]sources. From the counterintelligence side, that’s the first thing they need to know: who are the sources? Who’s that chain? . . . For [Criminal Division] it’s more about the lead information.”<sup>5780</sup> [REDACTED] further said that at that time FBI did not know where Steele was getting his information, nor did it know specifics on how or whether Steele paid his subsources or how the subsource network transmitted the information to Steele.<sup>5781</sup> [REDACTED] also did not know whether Steele knew the identities of all those in his subsource network.<sup>5782</sup> Throughout their relationship, Ohr had never had specifics about Steele’s subsource network and did not ask, but said the reporting generally seemed good and credible.<sup>5783</sup> Ohr told the Committee, “[Steele’s reports] seemed to be information that was coming from a person who was knowledgeable about the situations that they were describing.”<sup>5784</sup>

(U) One of the people who knew the most about Steele’s subsource network is David Kramer, from a conversation he had with Steele in the latter’s dining room in late November, 2016. Kramer said, “I was shown a list [REDACTED]<sup>5785</sup> and [REDACTED].” [REDACTED] He verified to the Committee that those people would have had appropriate access to provide the information.<sup>5788</sup> Steele had confidence his sub-subsources were good: “I think he felt they were diverse enough and senior enough to have known various elements of what he had been told. So I think he felt that it lent credibility to what he was reporting.”<sup>5789</sup>

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<sup>5778</sup> (U) One clear lesson from the U.S. Intelligence Community’s experience in lead up to the 2003 Iraq war was that intelligence analysts and consumers of intelligence need to know key details about a source, such as their access to the information, reporting history, and motivation for providing information, if not their identity. See SSCI, “Report of the Senate Select Committee on Intelligence on the U.S. Intelligence Community’s Prewar Intelligence Assessments on Iraq,” July 9, 2004, p. 26.

<sup>5779</sup> (U) Simpson Tr., pp. 100–102.

<sup>5780</sup> (U) [REDACTED] Tr., p. 45.

<sup>5781</sup> (U) *Ibid.*, p. 18–19.

<sup>5782</sup> (U) *Ibid.*, p. 20.

<sup>5783</sup> (U) B. Ohr Tr., p. 24.

<sup>5784</sup> (U) *Ibid.*, p. 28.

<sup>5785</sup> (U) Kramer Tr., pp. 14, 26.

<sup>5786</sup> (U) *Ibid.*, p. 18.

<sup>5787</sup> (U) *Ibid.*, pp. 26–27.

<sup>5788</sup> (U) *Ibid.*, p. 39.

<sup>5789</sup> (U) *Ibid.*, p. 17.

[REDACTED]

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(U) Kramer told the Committee that Steele knew the identities of his sub-sources but, “He was not in a position to be in touch directly with these individuals. It was through an intermediary.”<sup>5790</sup> According to the DOJ OIG: “Steele did not have good insight into how many degrees of separation existed between the Primary Sub-source’s sub sources and the persons quoted in the reporting, and that it could have been multiple layers of hearsay upon hearsay.”<sup>5791</sup> Kramer did not know the name of that main subsource.<sup>5792</sup> Kramer further said that the intermediary, or main subsource was “somebody [Steele] had full confidence in and had worked with before.”<sup>5793</sup> Kramer did not pass on to anyone—including the FBI or the Committee—the names of the subsources or sub-sources.<sup>5794</sup>

(U) Steele conveyed very little to the Committee on how he vetted his sources. He wrote that he had known his main subsources for a number of years and that “all came to us recommended by professional contacts who knew them and whose judgement we had reason to trust.” Steele wrote that the main subsources had a “good track record,” reporting on Russia issues using their subsource networks before the dossier project began. Steele also told the Committee that “validation was based on an assessment of their access and motivation and especially on their previous reporting track record. Reporting was assessed in terms of its consistency with intelligence obtained from other” public and non-public sources.<sup>5795</sup> The generality of these responses made them difficult for the Committee to evaluate, but the Committee found some information that called into question the rigor and thoroughness of this process.

[REDACTED]

(U) Steele’s written responses to the Committee’s questions did not include much information on the access of his subsource network. He wrote that none of the main subsources were new, however, he used a small number of new sub-sources for this project. He said that

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<sup>5790</sup> (U) *Ibid.*, pp. 15-16.

<sup>5791</sup> (U) *DOJ OIG FISA Report*, p. 190.

<sup>5792</sup> (U) Kramer Tr., p. 16.

<sup>5793</sup> (U) *Ibid.*, p. 17; A clear lesson from the 2003 Iraq War experience was that depending too heavily on one or two sources can create the possibility for misinformation to become accepted as fact.

<sup>5794</sup> (U) Kramer Tr., pp. 19–20.

<sup>5795</sup> (U) Written Responses, Steele, August 16, 2018.

<sup>5796</sup> [REDACTED]

[REDACTED]

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most subsources were “established, with solid reporting track records on other sensitive Russia/CIS issues.”<sup>5797</sup>

[REDACTED] The person FBI identified as the main subsource presented a less rigorous representation than did Steele, telling the FBI that “he/she did not view his/her contacts as a network of sources, but rather as friends with whom he/she has conversations about current events and government relations.”<sup>5798</sup> [REDACTED]

[REDACTED] The Committee has limited information on the geographical distribution of the subsource network. While Simpson told the Committee he did not know the identities of the people in the network, he knew some were “Russians who don’t live in Russia but talk to people in Russia and can go there.” Others were “people who live in Russia and have connections to the Government.”<sup>5800</sup> Steele described the geographic arrangement as follows: “Most of the work, though not all, was conducted in Europe where the majority of our [sub-sources] were based.”<sup>5801</sup> [REDACTED]

[REDACTED] By FBI’s estimation, about half of the information in the dossier came from or through this person.<sup>5803</sup> [REDACTED]

**ii. (U) Parsing the Dossier’s Subsources**

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<sup>5797</sup> (U) Written Responses, Steele, August 16, 2018. For U.S. intelligence, “established” is a term of art that reflects a record of reliable reporting. Steele’s written responses suggest that he used the term in generally the same way.

<sup>5798</sup> (U) DOJ OIG FISA Report, p. 188, fn. 334.

<sup>5799</sup> (U) SSCI Memorandum, “FBI Briefing on Steele ‘Dossier’ Sourcing,” February 15, 2018.

<sup>5800</sup> (U) Simpson Tr., pp. 102–103.

<sup>5801</sup> (U) Written Responses, Steele, August 16, 2018.

<sup>5802</sup> (U) SSCI Memorandum, “FBI Briefing on Steele ‘Dossier’ Sourcing,” February 15, 2018. The Committee notes that Priestap was so concerned about protecting the identity of the source that he would not allow his briefing to be transcribed.

<sup>5803</sup> (U) *Ibid.*

<sup>5804</sup> (U) *Ibid.*

<sup>5805</sup> (U) *See infra* Vol. 5, Sec. VII.

[REDACTED]

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[REDACTED] Despite limited direct information from Steele and the main subsource, the Committee endeavored to determine the access and credibility of Steele’s subsource network. Staff drew from FBI’s debriefs of Steele [REDACTED], the subsource descriptions in the dossier, Simpson’s book, the notes of Department of State officials, the findings of the DOJ OIG,<sup>5806</sup> [REDACTED], to compare descriptions of sources.

(U) Western intelligence services have established as standard practice the importance of communicating clearly to a reader any uncertainty about a source’s access to information. Intelligence collectors convey some context about the identity and access of the original source, so analysts and consumers can make an informed evaluation of the credibility of the information. Instead of following this best practice, Steele’s descriptions are inconsistent and not completely transparent about the steps through which the information passed from the origin to Steele, making it difficult for the reader to discern how close Steele was to the information. Some of this lack of clarity may have been intentional, for source protection purposes, but it makes it extremely difficult to evaluate the credibility of Steele’s information. For example:

- [REDACTED] Report 80, the first of the dossier memos, completed on June 20, 2016, cites a “former top level Russian intelligence officer.” [REDACTED]

[REDACTED] This is distant access, meaning that there were several people between Steele and the source of his information.<sup>5808</sup> Without knowing more about the relationship between [REDACTED] an intelligence analyst would not use this kind of information without corroboration, because the credibility of such distant reporting is difficult to assess.

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<sup>5806</sup> (U) The Committee notes that the DOJ OIG included in its report a long discussion of source descriptions and Steele’s problematic blending of analysis and reported assertions of fact. *Ibid.*, p. 189–193.

<sup>5807</sup> [REDACTED]

<sup>5808</sup> [REDACTED]

[REDACTED]

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[REDACTED] Further, that named sub-subsource, who provided the information about the Page-Sechin meeting, had connections to Russian intelligence [REDACTED]

[REDACTED] These source descriptions give an unclear picture of whether this was one source or several, and it is not clear whether the FBI, Steele, and Steele’s main subsource were in agreement about who the named sub-subsource was.

- (U) Steele describes a set of sub-sources in his reports that have similar—yet slightly different—descriptions. It is difficult to determine if this is a single stream of reporting or many different sub-sources supporting each other’s information. Understanding this is critically important for evaluating the credibility of a body of reporting.

[REDACTED]

[REDACTED] Separately, Steele also cites a “senior Kremlin official,”<sup>5812</sup> a “Kremlin insider,”<sup>5813</sup> and a “senior member of the PA”<sup>5814</sup> regarding meetings between Carter Page and Divyekin, along with other subjects. Some of the reporting coming from these sub-sources matches the reporting [REDACTED] a different description than all those above.<sup>5815</sup>

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<sup>5810</sup> (U) DOJ OIG FISA Report, p. 189–190, footnote 339.

<sup>5811</sup> [REDACTED]

<sup>5812</sup> (U) Steele Dossier, “Company Intelligence Report 2016/080,” June 20, 2016; Steele Dossier, “Company Intelligence Report 2016/101,” August 10, 2016.

<sup>5813</sup> (U) Steele Dossier, “Company Intelligence Report 2016/134,” October 18, 2016; Steele Dossier, “Company Intelligence Report 2016/135,” October 19, 2016.

<sup>5814</sup> (U) Steele Dossier, “Company Intelligence Report 2016/111,” September 14, 2016.

<sup>5815</sup> (U) SSCI Memorandum, “FBI Briefing on Steele ‘Dossier’ Sourcing,” February 15, 2018.

[REDACTED]

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[REDACTED]

(U) The DOJ OIG report stated that another of Steele’s subsources, in discussions with the FBI in August 2017, said that his/her reports in the dossier had been “exaggerated” and that he/she “did not recognize anything as originating specifically from him/her.” The main source, on the other hand, said that this subsource was “one of the key sources” for the dossier, in particular allegations about Michael Cohen and Prague and the same meetings between Page and Divyekin, discussed directly above.<sup>5817</sup> The Inspector General report further says that the subsource may have been attempting to minimize his/her role.

[REDACTED]

- [REDACTED] In the first of Steele’s reports, Source D describes events at the Ritz Carlton Moscow and is described as “a close associate of Trump who had organized and managed his recent tips to Moscow.” [REDACTED] The Committee has no

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<sup>5816</sup> (U) DOJ OIG FISA Report, p. 246.

<sup>5817</sup> [REDACTED] revealed in early June 2017, among other things, personal and business ties between the sub-source and Steele's main Sub-source; contacts between the sub-source and an individual in the Russian Presidential Administration in June/July 2016; [REDACTED] and the subsource voicing strong support for candidate Clinton in the 2016 U.S. elections.”)

<sup>5818</sup> (U) The Committee saw no credible information that [REDACTED] had a role with the Trump Campaign. [REDACTED]

[REDACTED] The Committee assesses the RACC is almost certainly not a legitimate organization.

<sup>5819</sup> (U) SSCI Memorandum, “FBI Briefing on Steele ‘Dossier’ Sourcing,” February 15, 2018.

[REDACTED]

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reason to believe [REDACTED] would have insight into the alleged activity at the Ritz through his ties with the Trump Campaign.

[REDACTED]

- (U) The main subsource told FBI that a staff member at the Ritz Carlton said there were “stories concerning Trump’s alleged sexual activities, not that the activities themselves had been confirmed by the staff member as stated in Report 80,” according to the DOJ OIG.<sup>5821</sup>

[REDACTED]

[REDACTED]

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<sup>5820</sup> (U) *Ibid.*

<sup>5821</sup> (U) *DOJ OIG FISA Report*, p. 190, footnote 341.

<sup>5822</sup> [REDACTED]

<sup>5823</sup> (U) *DOJ OIG FISA Report*, p. 193, footnote 345 (“The Primary Sub-source told WFO Agent 1 that he/she found a YouTube video of the sub-source speaking and that it sounded like the person on the telephone call.”).

<sup>5824</sup> (U) SSCI Memorandum, “FBI Briefing on Steele ‘Dossier’ Sourcing,” February 15, 2018. Carter Page told the Committee that he never met Paul Manafort. Page Tr., p. 214.

[REDACTED]

[REDACTED]

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(U) Regarding Millian’s self-described access to Trump Campaign officials, Millian had limited interactions with at least two people connected to the Trump Campaign during 2016, and Rick Gates, former Deputy Campaign Chairman, told the FBI that Millian appeared on a special access list for the Trump Campaign. The Campaign had a “Friends and Family” list for people attending campaign events. Each of the Trump children would submit names to the list, as would close friends and staff of immediate family members. Rhona Graff—Trump’s trusted, long-time assistant—was the keeper of the list. Gates had no insight into who might have added Millian but said Cohen would have had the opportunity to add Millian to the list.<sup>5825</sup>

(U) The earliest contact the Committee is aware of between Millian and the Campaign is an email on March 15, 2016, when Millian emailed Michael Cohen at his Trump Organization address and offered to serve on the Trump Campaign’s foreign policy team.<sup>5826</sup> Cohen appears to have dismissed the request.<sup>5827</sup> Millian and Cohen had a brief exchange on September 5, 2016, when Millian re-introduced himself as a Trump supporter and forwarded questions from journalists about Millian’s role with the Trump Organization.<sup>5828</sup> Cohen told the Committee that he “just responded to kind of be kind.”<sup>5829</sup> Millian responded a week later, on September 13, 2016, saying thank you, then following with: “I’m friends with Greek American George Papadopoulos, who says he is now your official campaign [sic] advisor on foreign policy from Ben Carson group. He asks questions about you. Do you know George?”<sup>5830</sup> The Committee has no evidence that Cohen responded or furthered the relationship. In his second interview, Cohen told the Committee that Millian also proposed that Cohen bring Trump to a function in Switzerland, but that Cohen dismissed him completely. Cohen said, “I believed he was a complete con artist and I just wasn’t in the mood to deal with him.”<sup>5831</sup> Cohen told the

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<sup>5825</sup> (U) FBI, FD-302, Gates 11/7/2018.

<sup>5826</sup> (U) Email, Millian to Cohen, March 15, 2016 (MDC-S-000261). (“Please feel free to incorporate me in the Russian direction as you know I have an insider level knowledge on what is happening in Russia after 10 years of hosting Russian ministers, governors, businessman and public leaders. Now, I’m a US citizen after my name having been cleared by national security and FBI.”) Millian included a link to a Fox News interview he did.

<sup>5827</sup> (U) Cohen, in his first interview with the Committee, said he recalled Millian also reaching out via phone around the same time as this email. His reaction was “wow, this guy is off the wall. . . . I was completely disinterested in what he had to say.” Cohen Tr. I, p. 287. The Committee has no indication that Cohen responded to this inquiry. Millian, from his RACC email account, also invited Michael Cohen to an event on March 23, 2016. Cohen told the Committee he did not attend, and never signed up for the RACC’s mailing list. See Cohen Tr. I, p. 289; Cohen Tr. II, p. 323. Email, Millian to Cohen, March 23, 2016 (MDC-S-000258).

<sup>5828</sup> (U) Millian wrote, “Just wanted to bring it to your attention. This unexpected and unwelcome pressure only makes me a stronger supporter of your cause. . . .” Email, Millian to Cohen, September 5, 2016 (DJTFP00018153). Cohen responded the same day, in entirety: “They are just I to [sic] negative reporting on trump and everyone connected to him. I believe you gave them enough and if they, and I’m sure they will, want more, ignore him.” Email, Cohen to Millian, September 5, 2016 (DJTFP00018152).

<sup>5829</sup> (U) Cohen Tr. I, p. 292.

<sup>5830</sup> (U) Email, Millian to Cohen, September 13, 2016 (DJTFP00018152).

<sup>5831</sup> (U) Cohen Tr. II, p. 320.

[REDACTED]

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Committee that he never met Millian<sup>5832</sup> and that the Trump Organization had no relationship with Millian.<sup>5833</sup>

(U) Millian and Papadopoulos exchanged several emails and met at least once. Documents the Committee obtained indicate email exchanges through the summer and into the fall. Millian was scheduled to pick Papadopoulos up at the airport in New York in September 2016,<sup>5834</sup> and Papadopoulos told the FBI the two discussed business opportunities in November, 2016.<sup>5835</sup>

(U) The Committee notes that much about Sergei Millian resembles activities by a Russian intelligence officer or cooptee. In attempting to interview Millian, the Committee found that his organization, the RACC, has several listed addresses but no apparent actual offices. Millian also has four names—Sergei Millian, Sergio Millian, Sergey Kukuts, and Sarhei Kukuts. Further, Millian publicly professed his non-involvement in the 2016 campaign, then departed the United States for China.<sup>5836</sup>

[REDACTED]

[REDACTED]

The DOJ OIG found a document circulated among the Crossfire Hurricane team in early October 2016, which indicated that “Person 1,” who the Committee assesses to be [REDACTED] had historical contact with persons and entities suspected of being linked to Russian Intelligence Services. The

<sup>5832</sup> (U) Cohen Tr., p. 286; Cohen Tr. II, p. 319.

<sup>5833</sup> (U) Cohen Tr., p. 292.

<sup>5834</sup> (U) Email, Papadopoulos to Epshteyn, September 12, 2016 (B&P GP File 2018 000603–608).

<sup>5835</sup> (U) FBI, FD-302, Papadopoulos 9/19/2017. For more on the relationship between the two, *see infra* Vol. 5, Sec. III.E.

<sup>5836</sup> [REDACTED] SSCI Transcript of the Interview with Andrei Shperling, May 11, 2018, pp. 20, 91, 102; [REDACTED]

<sup>5837</sup> *Ibid.*, p. 41.



[REDACTED]

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*That's possible. But I think he did—I think he and his intermediary did their best to try to factor that in and account for it to the best they could.*<sup>5841</sup>

(U) James Baker, former FBI General Counsel, summed up the environment this way:

*This is how it operates. The organized crime. The overlay between the organized crime, the oligarchs, the government, the intelligence services. It's all like one big giant mess. And so, given that... how do you sort through that when you are trying to do a legitimate investigation and then figure out what's the truth. And so you are extremely skeptical of anything that anybody is telling you.*<sup>5842</sup>

(U) Dr. Fiona Hill, a Russia expert who served on both the National Intelligence Council as National Intelligence Officer for Russia and Eurasia and on the NSC as Senior Director for European and Russian Affairs, discussed the possibility of Moscow inserting disinformation in the dossier in her deposition in the House: “it’s very likely that the Russians planted disinformation in and among other information that may have been truthful, because that’s exactly, again, the way they operate.” She went on to say that:

*And this is why I was concerned about the Steele report because that is a vulnerability. Christopher Steele going out and looking for information. He's obviously out there soliciting information. What a great opportunity to, basically, you know, present him with information that he's looking for that can be couched with some truth and some disinformation.*<sup>5843</sup>

(U) There was ample opportunity for Steele’s source network to be coopted by Russian security services, which would have allowed the service to shape the information that was eventually included in the dossier.

[REDACTED]

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<sup>5841</sup> (U) Kramer Tr., p. 36. Kramer further clarified that he thinks these sources would not have had a natural way to coordinate their information. *Ibid.*, p. 37.

<sup>5842</sup> (U) SSCI Transcript of the Interview with James Baker, October 2, 2018, p. 139.

<sup>5843</sup> (U) Deposition of Dr. Fiona Hill, in front of the HPSCI, joint with the Committee on Oversight and Reform and the Committee on Foreign Affairs, U.S. House of Representatives, October 14, 2019, p. 179 and pp. 390–391

<sup>5844</sup> [REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED] the DOJ OIG said that “In late January 2017, a member of the Crossfire Hurricane team received information [redacted] that [Russian Intelligence Services] may have targeted Orbis and research (sic) all publicly available information about it.”<sup>5846</sup>

[REDACTED]

[REDACTED] Winer, who had received many non-dossier Russia and Ukraine-related reports from Steele, said Steele was “concerned about his sources. He was concerned about protecting his sources. He didn’t want them [the Russian intelligence services] deconstructing his network.” Winer told the Committee that in an effort to reduce risk the Orbis header was removed from any reports that Steele sent the Department of State and documents were “password protected.” [REDACTED]

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<sup>5845</sup> (U) *Ibid.*

<sup>5846</sup> (U) *DOJ OIG FISA Report*, p. 191, footnote 342.

<sup>5847</sup> (U) Richard Norton-Taylor, “MI6: The nightmare scenario as a rogue agent goes public,” *The Guardian*, May 13, 1999. According to the article, “Britain’s secret intelligence service, MI6, was thrown into unprecedented disarray last night when a renegade former officer published the names of over 100 agents—some said to be false—on the internet.”; *see also* Jane Mayer, “Christopher Steele, the Man Behind the Trump dossier,” *The New Yorker*, March 5, 2018.

<sup>5848</sup> (U) Winer Tr., pp. 23-25. Winer’s interactions with Steele are covered more comprehensively later in this section.



[REDACTED]

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[REDACTED]

[REDACTED] Finally, the U.S. Government has [REDACTED] reports on the potential for Russian disinformation influencing Steele’s election reporting [REDACTED]. First, a January 12, 2017, report describes [REDACTED] assessing that a subset of Steele’s reporting regarding Michael Cohen was part of a Russian disinformation campaign. Second, a report from February 27, 2017, is from:

*an individual with reported connections to Trump and Russia who claimed that the public reporting about the details of Trump’s sexual activities in Moscow during a trip in 2013 were false, and that they were the product of RIS “infiltrat[ing] a source into the network” of a [REDACTED] [REDACTED] who compiled a dossier of information on Trump’s activities. The [REDACTED] noted that it had no information indicating that the individual had special access to RIS activities or information.<sup>5854</sup>*

[REDACTED] The Committee was able to gain additional specifics about both reports. [REDACTED]

**iv. (U) Multiple Links Between Steele and Deripaska**

(U) The Committee found multiple links between Steele and Deripaska, including through two of Deripaska’s lawyers, and indications that Deripaska had early knowledge of Steele’s work. Steele had worked for Deripaska, likely beginning at least in 2012, and continued

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<sup>5854</sup> [REDACTED] DOJ OIG FISA Report, p. 197, fn. 350. The OIG’s portrayal of the reports above is not complete, and may not contain contradictory or other contextual information from the reports. [REDACTED]

[REDACTED]

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to work for him into 2017, providing a potential direct channel for Russian influence on the dossier.<sup>5856</sup>

(U) A February 2016 email strongly suggests Deripaska's awareness of Steele's work, generally. Steele wrote to Ohr on February 21, 2016<sup>5857</sup>:

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<sup>5856</sup> (U) Several other people who appear in this section also have ties to Deripaska. Simpson told the Committee he had written stories about Deripaska for *The Wall Street Journal*. Simpson Tr., pp. 147, 181. Simpson also said that "I believe that I have reached out to his companies and employees on numerous occasions when I was a journalist. And beyond that, I don't think I've knowingly had any contact with his organization." *Ibid.*, p. 88. However, David Kramer said that Simpson had once worked for Deripaska. He said: "Actually, I know Simpson had....just that he had been hired to do some work for Deripaska in the past. I will tell you that caused me a little consternation." Kramer Tr., p. 12. The Committee was not able to rectify this discrepancy. Jonathan Winer, a decade-long professional contact of Steele's, also worked for Deripaska, but Winer told the Committee in his first interview that he never met Deripaska in person and has not been in touch with him for 15 years. In a second interview, Winer clarified that Deripaska hired Alston & Bird, specifically Senator Bob Dole, in 2003, to help with an immigration issue. Winer, in his capacity as an attorney at Alston & Bird, provided assistance to Senator Dole. Winer cited attorney-client privilege in declining to provide details on his work for Deripaska, but he did give a general example: "For example, if someone, anyone, wanted to travel to the United States and couldn't travel to the United States, I could tell somebody, these are the kinds of things you might have to do if you want to be able to come to the United States, and they're real; they're not bogus. It's not a matter of doing it half-heartedly, and these are the consequences, positive and negative. That's the kind of thing that someone like me might tell an oligarch." Winer Tr., pp. 23, 88-89; SSCI Transcript of the Second Interview with Jonathan Winer, April 18, 2018, p. 4. Winer also said that Bill Browder was one of his clients. Winer, Tr., p.11. For more, see *infra* Vol. 5, Sec. III.C.6. Deripaska retained the law firm Alston & Bird from 2003 until approximately 2009. Lobbying Registration pursuant to the Lobbying Disclosure Act of 1995, Alston & Bird LLP, November 14, 2003; Lobbying Report pursuant to the Lobbying Disclosure Act of 1995, Alston & Bird LLP, October 20, 2009. Deripaska has over time retained a number of individuals to assist him in obtaining visas to the United States, with inconsistent success. The Committee has limited insight into the network of attorneys and firms retained by Deripaska, but it has included Bryan Cave in the U.S. and the U.K. and the Endeavor Law Firm. Other individuals who have not registered, such as [REDACTED] have similarly sought to work with Deripaska in the United States, potentially on similar issues. Waldman Tr., pp. 261-262.

<sup>5857</sup> (U) Email, Steele to B. Ohr, February 21, 2016 (HPSCI (3-23-18)-DOJ-000004). This email suggests that Steele planned to share the Orbis report with the United States Government, initially through [REDACTED], his primary contact and handling agent. The Committee notes that neither Steele (through counsel), Ohr, [REDACTED] FBI, nor the Department of Justice have been able to locate that report or produce it to the Committee.

[REDACTED]

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> On Feb 21, 2016, at 9:34 PM, Chris Steele [REDACTED] wrote:  
>  
> Dear Bruce,  
>  
> I hope you are well. I understand from Paul H and Adam W that OVD has been granted an official visa to visit the US this week for APEC and a meeting with [REDACTED] in the margins. Apparently there were some counter squalls from State but he now has the visa. I am also told there will be an inter-agency meeting on him this week which I guess you will be attending. Meanwhile we are circulating some recent sensitive Orbis reporting on the RF leadership's targeting of certain business figures with a view to pressurising them into towing the Krem line, especially over capital flight. OVD is amongst those targeted, suggesting he is not the leadership tool some have alleged. I shall be sending this reporting in the first instance to [REDACTED] as he has asked, for legal reasons I understand, for all such reporting be filtered through him (to you at DOJ and others). Needless to say it is recent and based on info from a well placed source with direct access.  
>  
> We reckon therefore that the forthcoming OVD contact represents a good opportunity for the USG and that right now, you should be pushing at an open door (as OVD is also aware of the thrust of our new intel). Meanwhile I look forward to discussing this and a range of other issues of mutual interest when we can get together, hopefully in western Europe during the next few weeks. Please keep me posted.  
>  
> Best, Chris

(U) The Committee has no further information on what Steele meant by “OVD is also aware” of his work.

(U) The Committee found ample evidence to dispute Steele’s assessment that Deripaska is “not the leadership tool some have alleged.” Rather, Deripaska is a key implementer of Russian influence operations around the globe.<sup>5858</sup>

(U) Multiple witnesses, to include Simpson, Ohr, and Waldman, either told the Committee or implied to the Committee that Steele had a business relationship with Deripaska. One recognized link between the two men was a pair of lawyers: Deripaska’s London-based attorney, Paul Hauser, and Waldman, Deripaska’s D.C.-based attorney.

- (U) Ohr was aware that Steele had a business relationship with Deripaska.<sup>5859</sup> Ohr told the Committee that Steele mentioned Hauser at breakfast in the context of “information that could make out some kind of a criminal case against Paul Manafort.”<sup>5860</sup>
- [REDACTED] Further, in two sets of Ohr’s handwritten notes provided to the Committee, Ohr references links between Steele and Deripaska. In one set of notes titled “Chris” that are undated, Ohr writes “Paul Hauser and OD [Deripaska] almost ready to talk w/ us re \$

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<sup>5858</sup> (U) For more information on the relationship between Deripaska and Putin, *see infra* Vol. 5, Sec. III.A.8.i.

<sup>5859</sup> (U) B. Ohr Tr., pp. 37, 41–44, 148, 152.

<sup>5860</sup> (U) *Ibid.*, pp. 44, 146.

[REDACTED]

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Manafort stole.”<sup>5861</sup> The rest of the first set of notes include information that appears in the dossier memos. In the second set of notes titled “PARTIAL CHRON,” Ohr appears to list his interactions with Steele from 2007 through October 2016. In that list, he includes this notation: “9/30/2015 Met OD & Paul Hauser NY.”<sup>5862</sup> It is unclear why he associates that meeting with Steele.

- (U) While Steele never confirmed for Simpson that he had worked for Deripaska, Simpson told the Committee that the possibility had occurred to him. When asked, and on advice from counsel, Simpson refused to give details on why he thought the two might have worked together in the past.<sup>5863</sup>
- (U) As of February 2017, Steele was working for Hauser and for a German client, Bilfinger, likely separately.<sup>5864</sup>

(U) Steele also had links to Waldman. Steele in his written responses to the Committee referred to Waldman as “a former friend and professional associate I met in London when working for a law firm on legal casework.”<sup>5865</sup> Waldman told the Committee that he met Steele while working jointly on an unnamed client possibly between 2012 and 2016, though Waldman did not employ Steele. The Committee assesses the unnamed client was probably Deripaska. Waldman said that Steele’s project in this effort was business intelligence related to “his relationship with members of the U.S. Government.”<sup>5866</sup> More recent ties include the following:

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<sup>5861</sup> (U) Ohr, handwritten notes (HPSCI (3-23-18)-DOJ-000036). Deripaska appears to be engaged in these efforts while simultaneously working cooperatively with Manafort to counter the public revelation involving Russia’s interference in the 2016 U.S. elections. *See infra* Vol. 5, Sec. III.A.7.

<sup>5862</sup> (U) Ohr, handwritten notes (HPSCI (3-23-18)-DOJ-000037).

<sup>5863</sup> (U) Simpson Tr., pp. 85–86, 88–90. Simpson, in response to the question “Were you ever aware that [Steele] had in fact done work for Mr. Deripaska?” said “I don’t believe he’s ever told me that,” then later, when pressed, “I don’t—he’s never specifically told me that. There was work—it became—the possibility had occurred to me, put it that way... Because when we were doing [a] report on Paul Manafort we found this lawsuit, we found this liquidation proceeding.” Simpson remembered the proceeding as related to business dealings between Manafort and Deripaska. “It wasn’t a Deripaska matter, it was a Manafort matter, this liquidation proceeding. ...[I]n the course of researching this, the question of who was trying to collect the debt became a question.” Simpson, on advice of counsel, refused to answer any more questions. Counsel cited a confidentiality agreement between Fusion GPS and Orbis Intelligence.

<sup>5864</sup> (U) B. Ohr Tr., p. 152. Ohr told the Committee that his recollection was Steele working for Paul Hauser and simultaneously for a German Engineering company called Bilfinger. It was unclear if the two were related. In a text between Ohr and Steele on March 16, 2017, Steele provided the name of the DOJ official “responsible for overseeing the FCPA/DPA applied to Bilfinger, our non-paying German engineering company client.” Text message, Steele to Ohr, March 16, 2017 (HPSCI (3-23-18) DOJ-000026). *Also see* Committee Memorandum from December 18, 2017, summarizing FBI, FD-302, B. Ohr 2/14/2017.

<sup>5865</sup> (U) Written Responses, Steele, August 16, 2018.

<sup>5866</sup> (U) Waldman Tr., pp. 189–194. As of the date of the interview, November 3, 2017, Waldman said he still represented the unnamed client.

[REDACTED]

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- (U) On January 12, 2016, Steele in an email to Bruce Ohr said, “I heard from Adam WALDMAN yesterday that OD [Deripaska] is applying for another official US visa ice [sic] APEC business at the end of Feb.”<sup>5867</sup> On February 8 and 21, Steele followed up, writing Ohr that Deripaska had been granted an official visa.<sup>5868</sup>
- (U) In January or early February of 2017, Steele discussed Waldman with Simpson. Simpson paraphrased the conversation between the two:

*[Steele said,] “Well, [Waldman] knows [Senator] Mark Warner and he says that he can talk to Warner and the Committee about telling them what we know.” So I just said: “Okay, fine, whatever.” At the time I was encouraging him to meet with the Committees, but particularly the Senate Committee, because we assumed it was going to be a more substantive and bipartisan investigation.*<sup>5869</sup>

- (U) Steele in February 2017 asked Waldman to represent him, pro bono, working to establish a conversation with the Committee, but in the spring of 2017, Steele told Waldman he had hired a new lawyer. Waldman said the two had not spoken since.<sup>5870</sup>

[REDACTED] The DOJ OIG reported that “sensitive reporting from June 2017 indicated that a [person affiliated] to Russian Oligarch 1 was [possibly aware] of Steele’s election investigation as of early July 2016,”<sup>5871</sup> and later that “an early June 2017 USIC report indicated that two persons affiliated with RIS were aware of Steele’s election investigation in early July 2016.”<sup>5872</sup>

[REDACTED]

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<sup>5867</sup> (U) Email, Steele to B. Ohr, January 12, 2016 (HPSCI (3-23-18)-DOJ-000001).

<sup>5868</sup> (U) Email, Steele to B. Ohr, February 8, 2016 (HPSCI (3-23-18)-DOJ-000002); Email, Steele to B. Ohr, February 21, 2016 (HPSCI (3-23-18)-DOJ-000004A).

<sup>5869</sup> (U) Simpson Tr., p. 186-187. See also *infra* Vol. 5, Sec. III.A.7.

<sup>5870</sup> (U) Waldman Tr., pp. 180, 197–199.

<sup>5871</sup> (U) DOJ OIG FISA Report, p. 93, fn. 211.

<sup>5872</sup> (U) DOJ OIG FISA Report, p. 191, fn. 342.

<sup>5873</sup> (U) The Committee found that Kilimnik is a Russian intelligence officer. See *infra* Vol. 5, Sec. III.A.8.ii.

<sup>5874</sup>

<sup>5875</sup> (U) *Ibid.*

- (U) Sam Patten, a political consultant who had worked in Ukraine and a former business partner to Kilimnik, said, “When [the dossier] was in the news [Kilimnik and I] talked about it, that Konstantin saw it as proof of a cooked story being pushed around.”<sup>5879</sup>

[REDACTED] The DOJ OIG also highlighted Steele’s contacts with representatives of Russian oligarchs.

[REDACTED]

[REDACTED] The OIG reported that “a 2015 report concerning oligarchs written by the FBI’s Transnational Organized Crime Intelligence Unit (TOCIU) noted that, from January through May 2015, 10 Eurasian oligarchs sought meetings with the FBI, and five of these had their intermediaries contact Steele.” That report noted such activity was unusual and recommended a validation review of Steele.<sup>5882</sup>

(U) Steele was adamant with the DOJ OIG that “Russian Oligarch 1” had no influence on the dossier and that Oligarch 1 had no contact with any of Steele’s sources. Steele said he

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<sup>5876</sup> (U) *Ibid.*

<sup>5877</sup> (U) McCabe Tr., pp. 85–86.

<sup>5878</sup> (U) *DOJ OIG FISA Report*, p. 191, fn. 342.

<sup>5879</sup> (U) Patten Tr., pp. 152–153.

<sup>5880</sup> (U) *DOJ OIG FISA Report*, p. 92.

<sup>5881</sup> (U) *Ibid.*, p. 93.

<sup>5882</sup> (U) *Ibid.*, pp. 92-93.

[REDACTED]

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worked for the oligarch's attorney and that he had met the oligarch one time. He also said he had no information indicating the oligarch knew of his investigation.<sup>5883</sup> Steele declined to answer the Committee's direct questions on whether he worked for Deripaska, but he said no client would have known about the dossier or provided input, other than Fusion GPS.<sup>5884</sup>

**v. (U) A Possible Omission in the Dossier**

(U) Steele and his subsources appear to have neglected to include or missed in its entirety Paul Manafort's business relationship with Deripaska, which provided Deripaska leverage over Manafort and a possible route of influence into the Trump Campaign.

(U) Steele mentions Paul Manafort by name roughly 20 times in the dossier, always in the context of his work in Ukraine; and, in particular, Manafort's work on behalf of then-Ukrainian President Victor Yanukovich. Deripaska, who had a long-standing business relationship with Manafort, is not mentioned once. Neither is Kilimnik, Manafort's right-hand man in Kyiv, who himself has extensive ties to Deripaska.<sup>5885</sup> Despite Steele's expertise on Ukraine and Russia, particularly on oligarchs, the dossier memos are silent on the issue.

(U) Steele, however, had worked for Deripaska—through Deripaska's attorneys—on matters related to a past business dispute between Deripaska and Manafort. In October 2016, Steele told the FBI that he had previously been retained to work on a litigation matter concerning debts allegedly owed by Manafort.<sup>5886</sup> Deripaska's attorneys had retained Steele to work on a Manafort tasking, prior to Steele's Trump-related work with Fusion GPS.<sup>5887</sup> At the time, Manafort was engaged in a dispute with Deripaska related to an investment that had failed more than six years earlier and that had resulted in a distancing of the relationship between Manafort and Deripaska.<sup>5888</sup>

(U) Additionally, despite not including the topic in his memos, Steele verbally briefed his concern about the Deripaska-Manafort relationship and the leverage that existed, along with other topics, to a DOJ official who he hoped would pursue the issue with FBI.<sup>5889</sup>

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5883 [REDACTED]

5884 (U) Written Responses, Steele, August 16, 2018.

5885 (U) For more on Kilimnik, *see infra* Vol. 5, Sec. III.A.

5886 [REDACTED]

5887 (U) DOJ OIG, Briefing to SSCI, December 2019.

5888 (U) *See infra* Vol. 5, Sec. III.A.4.ii.

5889 (U) B. Ohr Tr., p. 37.

(U) In his book with Fritsch, Simpson revealed that Fusion GPS was also involved in this endeavor. Simpson writes that:

*Weeks before Trump tapped Manafort to run his campaign, Christopher Steele had hired Fusion for help investigating Manafort. The matter had nothing to do with politics and was a typical commercial assignment. Orbis had recently been queried by an American law firm about finding Manafort's assets. The firm's unidentified client claimed that Manafort owed him millions of dollars.<sup>5890</sup>*

The Committee notes that Simpson did not tell the Committee about this business arrangement.<sup>5891</sup>

vi. (U) **A Confluence of Events: Natalia Veselnitskaya and the June 9, 2016 Meeting**

(U) Glenn Simpson and Fusion GPS had, since 2014, worked with Natalya Veselnitskaya, a Russian lawyer with ties to the Russian government, Russian intelligence, and Aras Agalarov. The Committee found no evidence that Veselnitskaya used her ties with Fusion GPS to influence the contents of the dossier. Nevertheless, the Committee sought to understand the significance of Veselnitskaya's relationship with Simpson because of the timing of their interactions, and because Veselnitskaya and Simpson both appear as key players in other events related to the 2016 election.<sup>5892</sup>

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<sup>5890</sup> (U) *Crime in Progress*, pp. 50–51. Simpson later says that he and his partner debated whether the situation presented a possible conflict of interests, given that they were also investigating Manafort for the DNC, but they decided there was no conflict “since the parties were not adverse to each other.”

<sup>5891</sup> (U) The Committee sought to understand the reasons for apparent omissions in the dossier and several explanations are possible. One explanation is that Steele was compartmenting his work between clients. Steele's claimed business practice was to not use information from one client's project on another. This asserted business practice, however, is partially refuted by the above mentioned October 2016 FBI interview, where Steele presented some information as stemming from his past work related to the project targeting Manafort. *DOJ OIG FISA Report*, p. 112. Another explanation is that Steele was self-censoring his findings, in an attempt to protect his own business relationship with Deripaska. Alternatively, Deripaska or his associates could have requested that Steele shape the content of the dossier. Finally, Steele could have judged that the information on Manafort and Deripaska was somehow unreliable or irrelevant; this seems unlikely, however, given that Steele had recently done extensive work on Manafort on behalf of Deripaska's attorneys. Steele would have known that Manafort's debts and ties to Ukrainian political figures could—and eventually did—prove a problem for the Trump Campaign and an entry point for Deripaska to attempt to exert influence.

<sup>5892</sup> (U) For more on Veselnitskaya's links with Russian officials, *see infra* Vol. 5, Sec. III.C.

[REDACTED]

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(U) Fusion GPS, specifically Simpson, conducted research for Veselnitskaya related to Bill Browder, Prevezon, and the Magnitsky Act.<sup>5893</sup> Veselnitskaya worked with a U.S. law firm, BakerHostetler, who hired Fusion GPS in early 2015 to conduct that research.<sup>5894</sup> Simpson told the Committee that:

*[BakerHostetler] is an old client of mine, very respectable lawyers, and they have their ethical obligations to know who their clients are, and I relied on that. And Natalya was represented to me as the lawyer for the client. So her identity was not actually something that I was terribly curious about . . . she was just the lawyer who hired my lawyers.*<sup>5895</sup>

(U) On June 9, 2016, Simpson went to New York City to attend a hearing on BakerHostetler's role in the Prevezon case. Veselnitskaya was there to represent Prevezon. Later that day, Veselnitskaya attended a meeting with several associates in Trump Tower with representatives of the Trump Campaign and Trump Organization.<sup>5896</sup> Simpson told the Committee that he had no knowledge of the meeting before it occurred and was unaware that Veselnitskaya had any meeting related to the Trump Campaign planned.<sup>5897</sup> Soon after the meeting, Veselnitskaya attended a dinner organized by one of the BakerHostetler lawyers in Washington D.C. with Simpson, Rinat Akhmetshin, who also attended the Trump Tower meeting, and others. Simpson recalled to the Committee that while he may have briefly interacted with Veselnitskaya, he did not recall having any substantive conversation with her and stated that he remained unaware of the existence of the June 9, 2016 meeting in Trump Tower until 2017, when the meeting became public.<sup>5898</sup>

(U) Although Simpson told the Committee he was unaware Veselnitskaya planned to meet with Trump Campaign staff and family members in June 2016, he had supplied at least some of the research she presented to the June 9, 2016 meeting—the purported “dirt” on Hillary Clinton’s donors. Veselnitskaya told the Committee that “The first person who ever told us

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<sup>5893</sup> (U) Bill Browder is the founder and CEO of Hermitage Capital Management and was the largest foreign investor in Russia until 2005. According to his profile in *Time*, “Since 2009, when his lawyer, Sergei Magnitsky, died in prison after uncovering a \$230 million fraud committed by Russian government officials, Browder has been leading a campaign to expose Russia’s endemic corruption and human rights abuses.” See Bill Browder, “I’m Bill Browder. Here’s the biggest mistake Putin made when trying to get access to me through Trump,” *Time*, July 16, 2018.

<sup>5894</sup> (U) Simpson Tr., p. 195. Fusion GPS was retained by the law firm BakerHostetler to assist its client—Russian oligarch Denis Katsyv—in the Prevezon case [(U.S. v. Prevezon Holdings, Ltd., et al., No. 13 Civ. 6326)].

<sup>5895</sup> (U) Simpson Tr., p. 195.

<sup>5896</sup> (U) For More on the Agalarovs, see *infra* Vol. 5, Sec. III.C.

<sup>5897</sup> (U) Simpson Tr., pp. 166–167.

<sup>5898</sup> (U) *Ibid.*, pp. 166–167, 201; Transcript of the Interview of Glenn Simpson, HPSCI, November 14, 2017, p. 118. “And I found out about it...within a day of it being disclosed in the New York Times. Someone called me and said ‘you heard about this meeting? And I said no.’”

[REDACTED]

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about the involvement or existence of Ziff Brothers<sup>5899</sup> was Mr. Glenn Simpson. The first report that I obtained from him was dated December 2014. That was the very report . . . that Ziff Brothers was one of the DNC sponsors.”<sup>5900</sup> She went on to say that “I have his reports in the number of hundreds of pages.”<sup>5901</sup> Simpson, however, thought the Ziff brothers research was mostly useless, and was puzzled by Veselnitskaya’s use of it as derogatory information at the June 9, 2016 meeting.<sup>5902</sup>

(U) Veselnitskaya said that she was unaware of Steele, and that Simpson had never mentioned him.<sup>5903</sup> Veselnitskaya suggested that she would have appreciated Steele’s help on a project, but Simpson had not made the introduction. She told the Committee:

*For a sort of unknown reason, Glenn Simpson avoided approaching [Steele] in 2014, and I had to grab all the pieces of information myself... [Simpson] even emphasized that he had no capabilities to work in London because he had no one he used to know there.*<sup>5904</sup>

(U) The Committee has no indication that Veselnitskaya and Simpson’s relationship extended past his work on the Prevezon case and related work. However, the two have different recollections of their last communications. The last time, in Simpson’s recollection, was the dinner discussed above at some point after the June 9, 2016 meeting. Simpson told the Committee that “in neither of these encounters did she say she was going to go meet with the Trump campaign [for the June 9, 2016 meeting]. She didn’t ask me for information. I’m not familiar with the information she gave them.”<sup>5905</sup>

(U) Veselnitskaya did not recall these interactions.<sup>5906</sup> Her memory of their last communication is an October 2016 communication, through Simpson’s lawyer. She said: “You understand I cannot disclose what it was about, but it has nothing to do [with] the subject matter of your investigation.”<sup>5907</sup>

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<sup>5899</sup> (U) The Ziff brothers are American investors. Juliet Chung, “Ziff Brothers Investments Set to Gradually Close U.S. Hedge Fund,” *Wall Street Journal*, October 31, 2013.

<sup>5900</sup> (U) Veselnitskaya Tr., p. 52.

<sup>5901</sup> (U) *Ibid.*, p. 72.

<sup>5902</sup> (U) Simpson Tr., p. 210.

<sup>5903</sup> (U) Veselnitskaya Tr., p. 75.

<sup>5904</sup> (U) *Ibid.*, pp. 117–118.

<sup>5905</sup> (U) Simpson Tr., p. 201. If Simpson’s recollection is correct, Veselnitskaya saw him both before and after the meeting at Trump Tower and in neither instance mentioned to him that she had used his information to brief senior members of the Trump Campaign.

<sup>5906</sup> (U) Veselnitskaya Tr., pp. 100–101.

<sup>5907</sup> (U) *Ibid.*, p. 100.

[REDACTED]

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**vii. (U) A Separate Information Stream Joins the Dossier: Two Additional Memos**

(U) Separate from the memos that comprise the dossier, in September 2016 a set of documents emerged alleging sexual and financial misconduct by then-candidate Trump and those associated with his businesses. Cody Shearer, a sometimes freelance journalist, had compiled his notes in the course of “an ongoing news reporting project,” and “No person or organization with whom Shearer shared his notes had permission to transmit them to anyone,” according to Shearer’s attorney.<sup>5908</sup> Sidney Blumenthal, an associate of Shearer’s and longtime associate of Hillary Clinton, who received the documents from Shearer, described them as “just raw notes . . . raw, preliminary, investigative, uncorroborated notes.”<sup>5909</sup>

(U) The notes were contained in two documents. The first document, entitled “The Compromised Candidate,” alleged sexual misconduct and financial misconduct involving Trump and financial misconduct involving members of Trump’s family.<sup>5910</sup> That document references an FSB agent and a Turkish businessman, but no other sources are discussed. The second document, entitled “FSB Interview,” states that there was a split within the FSB on “how far this should go,” referring to an intelligence operation against Trump, and it describes in some detail the *kompromat* the FSB allegedly held on Trump.<sup>5911</sup>

(U) Blumenthal said he would be surprised if Shearer was talking to an actual member of the FSB, but Blumenthal said he knew nothing about the sources of the documents.<sup>5912</sup> According to Blumenthal, “[Shearer] has a wide network of contacts, and I’ve been surprised in the past that some of the things he turns up, which seem wild, turned out to be true.”<sup>5913</sup>

(U) The original provenance of the information in the documents is still unclear. Blumenthal told the Committee that Shearer sent him the documents unsolicited. The first document arrived on September 24, 2016, and the second arrived on October 12, 2016.<sup>5914</sup>

(U) Winer received the first document, “The Compromised Candidate,” from Blumenthal following a dinner on September 24, 2016.<sup>5915</sup> Winer described Steele’s work to Blumenthal during dinner, based on Winer’s memory of the documents, and Blumenthal noted

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<sup>5908</sup> (U) Letter, [Attorney] to SSCI, February 28, 2018.

<sup>5909</sup> (U) SSCI Transcript of the Interview with Sidney Blumenthal, March 23, 2018, p. 43.

<sup>5910</sup> (U) Winer Tr. II, p. 13; Document, produced by Blumenthal to SSCI, (SSCI-Blumenthal-0003-6)

<sup>5911</sup> (U) SSCI-BLUMENTHAL-0003-0010.

<sup>5912</sup> (U) Blumenthal Tr., p. 40.

<sup>5913</sup> (U) *Ibid.*, p. 43.

<sup>5914</sup> (U) *Ibid.*, pp. 20–22.

<sup>5915</sup> (U) *Ibid.*, pp. 30, 32–34. Shearer did not attend the dinner.

[REDACTED]

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that he had received notes from Shearer earlier that day that sounded similar.<sup>5916</sup> Blumenthal provided the first document to Winer, which Winer then shared with Steele.<sup>5917</sup> Winer said, “I thought Chris should see it. He was in town, and I shared it with him.”<sup>5918</sup> According to Winer, Steele thought the document might corroborate some of his own work.<sup>5919</sup> In mid-October, Blumenthal received the second document from Shearer, “FSB Interview,” and passed it to Winer as well.<sup>5920</sup>

(U) Steele provided the second document, “FSB Interview,” to the FBI, after receiving it from Winer.<sup>5921</sup> Before doing so, he appended a description of the document to the top entitled “Company Note,” dated October 19, 2016, which stated:

*We received this report from Jon WINER, US State Department on 18 October 2016. It is the second in this series we have seen. We consider it potentially significant and apologize in advance for its rough format. The sub-source, as we understand it, is a Turkish businessman with strong Russian, including FSB, links. He is in touch with Cody SHEARER, a contact of Sidney BLUMENTHAL, a friend of the CLINTONs, who passed it to WINER. We have no means of verifying the source/s or information but note that some of the report is remarkably similar to our own, albeit from completely different sourcing chain, and therefore could be important collateral, especially on the reported Ritz Carlton incident in 2013; TRUMP’s compromise by the FSB (and knowledge of it); and subsequent Kremlin funding of the TRUMP campaign (through the AGALAROVs). We judge that WINER at least would be happy to discuss all this further with you.*<sup>5922</sup>

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<sup>5916</sup> (U) *Ibid.*, pp. 32–34. In response to a question, Blumenthal said that it was “totally coincidental, very, very coincidental” that he received Shearer’s notes on the same day he had dinner with Winer.

<sup>5917</sup> (U) Winer Tr. II, p. 11. Winer, in his first interview with the Committee, did not mention the existence of these documents, but he described how he came to possess them in an op-ed in the *The Washington Post* in February of 2018. The Committee then called Winer in for a second interview to discuss this issue and other follow-up questions.

<sup>5918</sup> (U) *Ibid.*, p. 15.

<sup>5919</sup> (U) *Ibid.*, p. 16.

<sup>5920</sup> (U) *Ibid.*, pp. 13–15. Blumenthal Tr., pp. 22, 48.

<sup>5921</sup> [REDACTED] FBI, Background on Documents Known to the FBI Comprising the “Steele Dossier.” Steele does not appear to have provided the first document (“The Compromised Candidate”) to the FBI; *see also* [REDACTED] An October 19, 2016, internal FBI email says [REDACTED]

<sup>5922</sup> (U) FBI, Background on Documents Known to the FBI Comprising the “Steele Dossier.”

[REDACTED]

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(U) Winer recalled that he did not share the documents with FBI or any security officer at Department of State.<sup>5923</sup> Winer also told the Committee that, at the time, he was unaware that Steele had passed one of the documents to the FBI, and he found out from journalists that Steele gave the document to the FBI.<sup>5924</sup>

(U) The Committee was unable to fully pursue questions about the information in these two additional documents, their origins, or their credibility. The Committee requested documents from and an interview with Shearer, but he refused. In a letter, his attorney cited “an ongoing news investigation . . . therefore protected by the Reporter’s Privilege grounded in the First Amendment.”<sup>5925</sup> Steele, in his written responses to Committee questions, said: “We are (post-dossier) aware of the sourcing details of Shearer’s information on the relationship between Russia and Donald Trump and his campaign but we are restricted from being able to share this with the Committee.”<sup>5926</sup>

**5. (U) FBI’s Handling of the Dossier**

(U) Personnel at the FBI, from Steele’s handling agent to FBI leadership, considered Steele’s information to be extremely sensitive and potentially relevant to ongoing investigations. They assigned Steele’s reporting credibility based on a flawed understanding of his past work with the FBI and likely assuming that the source and subsource descriptions in the dossier memos accurately reflected those subsources’ access. The dossier joined a stream of intelligence and investigative reporting about Russia’s attempts to interfere in the 2016 elections, and FBI in its pursuit of the Crossfire Hurricane investigation never fully explored the allegations in the dossier or Steele’s tradecraft.

**i. (U) The Dossier’s Path Through the FBI**

**a. (U) FBI’s First Awareness**

(U) An urgent phone call from Steele to Special Agent [REDACTED] in early July 2016 led to two months of cautious confusion, as FBI tried to decide how to handle information that was uncorroborated, concerning, and extremely politically sensitive.

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<sup>5923</sup> (U) Winer Tr. II, pp. 20–22.

<sup>5924</sup> (U) *Ibid*, p. 22.

<sup>5925</sup> (U) Letter, [Attorney] to SSCI, February 28, 2018. The Committee’s decision not to compel testimony does not signal its agreement with this position.

<sup>5926</sup> (U) Written Responses, Steele, August 16, 2018.



[REDACTED]

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President of the United States.”<sup>5935</sup> At that point, Steele was not arguing that the information should be made public.<sup>5936</sup> According to [REDACTED]

*He said: You know, people have to see this. I said, okay. I said, but right now we don't know who has to see this . . . I've got to determine within the Bureau who needs to know this, who has to see this, because the issue at this point was I have a credible source of information with a very kind of explosive document that is completely uncorroborated and unverified.*<sup>5937</sup>

(U) [REDACTED] made the point that FBI could not act on the information without corroboration.<sup>5938</sup> Steele said he had not corroborated the information yet, but that he was working to, and he was working on other memos.<sup>5939</sup> [REDACTED] also made clear the FBI was not tasking Steele to gather more information.<sup>5940</sup>

(U) [REDACTED] flew back to [REDACTED] with a hard copy of the first memo. He told the Committee he was worried about getting the memo into the right hands within FBI, discreetly, given the sensitivity of the information. He said that:

*Because of the nature of this information it had to be really as much as possible directed to the people who needed to know about it, without broadcasting it. It had to be done discreetly even within the Bureau. And . . . those people who ultimately needed to know about it are not advertising themselves throughout the Bureau. They're not saying: hey, we are doing the super-secret stuff, the counter-espionage stuff; here's our office.*<sup>5941</sup>

(U) [REDACTED] had a trusted colleague at the FBI in New York who had experience with political corruption cases.<sup>5942</sup> While he said he did not consider this information political corruption, he wanted to start with an FBI colleague who, as he put it, was “somebody at least who had been involved in matters with those names, or at least with Hillary Clinton's name.”<sup>5943</sup> In mid-July, [REDACTED] colleague in New York told him to send the Steele memos.<sup>5944</sup> [REDACTED] sent

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<sup>5935</sup> (U) *Ibid.*, p. 43.

<sup>5936</sup> (U) *Ibid.*, p. 44.

<sup>5937</sup> (U) *Ibid.*, p. 40.

<sup>5938</sup> (U) *Ibid.*, p. 42.

<sup>5939</sup> (U) *Ibid.*, p. 40.

<sup>5940</sup> (U) *Ibid.*, p. 42.

<sup>5941</sup> (U) *Ibid.*, p. 47.

<sup>5942</sup> (U) *Ibid.*, p. 49.

<sup>5943</sup> (U) *Ibid.*

<sup>5944</sup> (U) *Ibid.*, p. 51. [REDACTED] did not reveal the name of his colleague to the Committee.

[REDACTED]

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them via secure email on July 28, 2016.<sup>5945</sup> His colleague reported back in late July that “Executive Management” in New York was aware, as was FBI Headquarters “to the [Executive Assistant Director] level.”<sup>5946</sup> Then, in early August, one of the division counsels in the New York Office and another executive spoke to [REDACTED] and [REDACTED] sent them the memos. The counsel told [REDACTED] that a group in FBI headquarters may already be investigating something similar, but he did not provide specifics.<sup>5947</sup> [REDACTED] recalled, “Then throughout the month of August, I was waiting to hear back who the people were at headquarters who I could send this to.”<sup>5948</sup>

(U) At some point during August 2016, Bruce Ohr called [REDACTED] to say that he had seen the dossier, and to ask how FBI was responding. [REDACTED] did not ask how Ohr knew about or had seen the dossier, but [REDACTED] communicated that the EAD-level of FBI headquarters was aware of the memos and their contents.<sup>5949</sup>

(U) Finally, in mid-September 2016, FBI headquarters passed [REDACTED] the name of the individual at FBI headquarters who was responsible for the related investigation. [REDACTED] paraphrased the message as “There is a group working something and . . . they’re going to need to see this.”<sup>5950</sup> The group was in the Counterintelligence Division (CD).<sup>5951</sup>

(U) Deputy Assistant Director Pete Strzok, at that point the lead for FBI’s Crossfire Hurricane investigation, told the Committee that his team became aware of the Steele information in September 2016. He said, “We were so compartmented in what we were doing, [the Steele reporting] kind of bounced around a little bit,” also, in part, because [REDACTED] and Steele did not normally report on counterintelligence matters.<sup>5952</sup> Strzok said that the information was “certainly very much in line with things we were looking at” and “added to the body of knowledge of what we were doing.”<sup>5953</sup>

(U) Steele, meanwhile, was still under contract with Fusion GPS and simultaneously discussing his memos with other contacts in the U.S. Government. Steele called Simpson in late September 2016 and said that FBI wanted his memos; Simpson’s response was “okay, give it to

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<sup>5945</sup> (U) *Ibid.*, p. 54; see also DOJ OIG FISA Report, p. 100. The report describes in detail the meetings inside FBI establishing who should receive the memos from Steele.

<sup>5946</sup> (U) [REDACTED] Tr., p. 51.

<sup>5947</sup> (U) *Ibid.*, pp. 53–54.

<sup>5948</sup> (U) *Ibid.*, p. 53.

<sup>5949</sup> (U) *Ibid.*, pp. 62–63.

<sup>5950</sup> (U) *Ibid.*, p. 59.

<sup>5951</sup> (U) *Ibid.*, p. 61.

<sup>5952</sup> (U) SSCI Transcript of the Interview with Peter Strzok, November 17, 2017, pp. 29–30. The team received six Steele memos on September 19. DOJ OIG FISA Report, p. 103.

<sup>5953</sup> (U) Strzok Tr., p. 31.



[REDACTED]

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aware of Papadopoulos. FBI also raised their investigation into Manafort, Flynn, and Page.<sup>5962</sup> The Committee questions whether this is common or appropriate practice—sharing details from an ongoing counterintelligence investigation with a human source, in this case a foreign citizen, even if the goal is to ask that source to collect additional information. Simpson may have become aware of the FBI’s interest in Papadopoulos based on the FBI’s discussion with Steele during this interview. Simpson says in his book that Steele passed that information along to Fusion GPS: “The session yielded an important bit of intelligence for Fusion. FBI agents surprised Steele by asking him what he knew about Trump adviser George Papadopoulos . . . suggesting that there was an active Bureau investigation that relied on sources other than Steele.”<sup>5963</sup>

(U) The Counterintelligence Division agents asked Steele to collect more information that might corroborate what he had found.<sup>5964</sup> However, [REDACTED] said, “It was specifically stated that, look, anything you collect from today going forward, we want to be exclusively for us, the Bureau, not to be provided to anybody else.” [REDACTED] said Steele’s response was “okay,” but there was no signed contract.<sup>5965</sup> Steele told the agents that he had given information to “a longtime friend at the State Department to be sure it’s getting to the right place in the USG,” almost certainly meaning Jonathan Winer. The agents told Steele to “stand down” on efforts to further disseminate the information and only deal with the FBI.<sup>5966</sup> The content of this conversation later became a point of contention between Steele and the FBI.

(U) [REDACTED] summarized that the agents offered Steele payment for “his efforts for coming to [REDACTED] and for the reports, and just for agreeing to engage in further activity and taskings in this regard.” According to [REDACTED] the agents further said “if you can corroborate this information we will pay you.” Steele accepted, but he was ultimately never paid by FBI for any reports related to the election.<sup>5967</sup> The FBI began the process to approve a \$15,000 payment to Steele, but [REDACTED] recalled that “we didn’t get authority and we didn’t actually have the money set aside and in hand until the end of October [2016].”<sup>5968</sup> By that point, FBI had broken off the relationship because FBI learned that Steele had broken the exclusivity arrangement by speaking with the press.<sup>5969</sup>

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<sup>5962</sup> [REDACTED] DOJ OIG FISA Report, pp. 116–117; [REDACTED]

<sup>5963</sup> (U) *Crime in Progress*, p. 114.

<sup>5964</sup> (U) DOJ OIG FISA Report, pp. 111–112.

<sup>5965</sup> (U) [REDACTED] Tr., p. 67.

<sup>5966</sup> [REDACTED] Tr., pp. 85-87; DOJ OIG FISA Report, pp. 110, 113–114.

<sup>5967</sup> (U) [REDACTED] Tr., p. 75.

<sup>5968</sup> [REDACTED] *Ibid.*, pp. 78, 81.

<sup>5969</sup> [REDACTED]

(U) Later in October 2016, Steele forwarded [REDACTED] other memos as he completed them, which [REDACTED] forwarded to FBI headquarters.<sup>5971</sup>

**c. (U) The Official End to the FBI's Relationship with Steele**

(U) Steele's official reporting relationship with the FBI ended in early November 2016, immediately after *Mother Jones* published an article on October 31, 2016, which outlined Steele's allegations. The article said, in part:

*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.*<sup>5972</sup>

(U) [REDACTED] called Steele to ask if he was the source for the article. Steele admitted that he was, to which [REDACTED] responded:

*That's going to change everything. I said: "Firstly, you're not going to get the money, because nobody's going to authorize giving you the money because you were not supposed to talk to anybody, as you know." And then secondly, I said, "odds are likely we are not going to be working together going forward, because of this disclosure."*<sup>5973</sup>

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<sup>5970</sup> (U) *Ibid.*

<sup>5971</sup> (U) [REDACTED] Tr., p. 78.

<sup>5972</sup> (U) David Corn, "A Veteran Spy Has Given the FBI Information Alleging a Russian Operation to Cultivate Donald Trump," *Mother Jones*, October 31, 2016.

<sup>5973</sup> [REDACTED] Tr., pp. 80–81; see also [REDACTED]

[REDACTED]

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(U) [REDACTED] communicated his surprise and disbelief with the situation to the Committee, saying “I’ve seen crazy source-related stuff in 20 years in New York and this was one of the craziest.”<sup>5974</sup> He paraphrased his conversation with Steele:

*So I said: “Listen, is it about the money?” I said, “because we have the money now. Is it about the money?” ... because I couldn’t understand why on earth, because there had literally been no indication between our meeting in October, early October, to then that he would do anything like this, nothing. Nothing led up to it. He wasn’t getting increasingly angry, aggravated, frustrated, making comments about our lack of effort or lack of work. There was nothing that led me to believe anything was wrong.”<sup>5975</sup>*

[REDACTED] continued:

*[Steele says], “yes, I’m owed the money, but that’s secondary” . . . . He goes—and I’m paraphrasing . . . “I’m very upset about, we’re very upset, about the actions of your agency.” I had no idea what he was talking about . . . . He goes: “Last Friday, Director Comey reopening the”—he said something like “your Director,” or “the reopening of the investigation.” So at that point I’m now understanding that he did this because he was upset that the Director’s reopening of the investigation was going to negatively affect the election for Hillary Clinton, meaning he’s working to provide information regarding Trump and compromise of Trump’s organization and then Director Comey provides this blast, a shot to the side.”<sup>5976</sup>*

[REDACTED] later clarified: “This was my impression only at the time and not based on anything I asked him . . . he was so upset because this was going to allow Russia to get—it was going to allow Russia’s candidate to get into office.”<sup>5977</sup>

(U) [REDACTED] explained the next steps: “After that point—after everybody digests what happened, because phones were ringing at that point, people’s ears were bleeding. Management said we were going to close him. At that point it’s just obvious. That’s all you could do.”<sup>5978</sup>

[REDACTED] explained that “[o]nce he’s closed, nobody is allowed—we can’t talk to him, we cannot

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<sup>5974</sup> (U) [REDACTED] Tr., p. 83.

<sup>5975</sup> (U) *Ibid.*, pp. 80–81.

<sup>5976</sup> (U) *Ibid.*, p. 82.

<sup>5977</sup> (U) *Ibid.*, p. 90.

<sup>5978</sup> (U) *Ibid.*, p. 87.

[REDACTED]

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operate him, we cannot task him.”<sup>5979</sup> [REDACTED] summed up the situation as “Frankly, when he went to the press there were no more agreements in place.”<sup>5980</sup>

(U) Steele, on the other hand, did not believe he was under any obligation to report only to FBI. In his written answers to the Committee, he said

*At no point were we ever asked about contacts with the media by the FBI, let alone instructed not to have any. The FBI were not our client on this project, did not own the product and had no right to determine what we did with it. This was made clear to them at the time.*<sup>5981</sup>

**d. (U) Simpson and Steele Seek Other Outlets for the Dossier**

(U) Simpson and Steele continued to reach out to the press and, later, Steele made contact with an associate of Senator John McCain. Simpson described to the Committee his logic on going back to the press:

*So I'm sitting on a real bombshell piece of information now, which is that the FBI's investigating the Russians, the Trump campaign and whether they've connected with the Russians, and Comey comes out with a thing about Hilary Clinton . . . .*<sup>5982</sup>

Simpson continued:

*I felt that if the standards had changed and the FBI was willing to disclose investigations, then the press should go back to the FBI and ask them whether they're investigating Donald Trump. And I was expecting all this to be exposed after the election, but when this happened I said they should expose it now.*<sup>5983</sup>

(U) Contributing to Simpson's calculation was an October 31, 2016 article in *The New York Times*: “Investigating Donald Trump, FBI Sees No Clear Link to Russia.” The story said that “for much of the summer, the FBI pursued a widening investigation into a Russian role in the American presidential campaign,” but concluded that:

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<sup>5979</sup> (U) *Ibid.*, p. 91.

<sup>5980</sup> (U) *Ibid.*, p. 73.

<sup>5981</sup> (U) Written Responses, Steele, August 16, 2018.

<sup>5982</sup> (U) Simpson Tr., p. 135.

<sup>5983</sup> (U) *Ibid.*, p. 136.

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*[L]aw enforcement officials say that none of the investigations so far have found any conclusive or direct link between Mr. Trump and the Russian government. And even the hacking into Democratic emails, FBI and intelligence officials now believe, was aimed at disrupting the presidential election rather than electing Mr. Trump.*<sup>5984</sup>

(U) While the article said that FBI officials declined to comment, it cited as sources “an official” and “senior officials” in outlining a wide counterintelligence investigation. Simpson in his book said other news outlets saw this article as a definitive reason to stop pursuing the story Simpson had been advocating. Simpson further alleges that FBI was intentionally trying to dissemble.<sup>5985</sup>

(U) Simpson began advocating with Steele to go public with what he knew:

*I said to Chris right before the election: you know, maybe you should come back and we should just do a press conference on the Capitol steps and tell everyone what we know. And he said: I'm not coming back, because I don't understand what's happening at the FBI and I don't know why they would tell the press that they weren't investigating Trump when I know they are. . . . Chris was concerned, as was I, that something had happened in the FBI, there had been some sort of a faction or a political division within the FBI that had caused them to dredge up new allegations against Hillary Clinton and suppress information about Donald Trump.*<sup>5986</sup>

**ii. (U) FBI's Investigative Approach**

(U) FBI Counterintelligence Division's efforts to investigate the allegations in the dossier were focused on identifying Steele's source network and recruiting those people to serve as sources for, or provide information to, the FBI. FBI also made efforts to corroborate the information in the dossier memos, but the Committee found that attempt lacking in both thoroughness and rigor. The FBI pursued FISA coverage of Carter Page in October 2016, including information from the dossier, but at the time it had very little information on Steele's subsources or corroboration of Steele's information.

(U) As of May 2017, when the SCO began its own investigation, the FBI had taken the following investigative steps:

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<sup>5984</sup> (U) Eric Lichtblau and Steven Lee Myers, “Investigating Donald Trump, FBI Sees No Clear Link to Russia,” *The New York Times*, October 31, 2016.

<sup>5985</sup> (U) *Crime in Progress*, pp. 120–121.

<sup>5986</sup> (U) Simpson Tr., pp. 145–146; see also Kramer Tr., p. 28.

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

**a. (U) Steele’s Reputation as a Proven Source**

(U) Steele had built a solid reputation as a source in the FBI’s work on the FIFA investigation, which predisposed the FBI to give credence to his reporting on counterintelligence issues. The Committee has very little insight into exactly what Steele provided to FBI regarding FIFA, so it was not possible to independently judge Steele’s contributions to the multi-year investigation. [REDACTED] told the Committee that Steele provided valuable investigative leads that were later borne out by further investigation. [REDACTED] said:

*Our squad initiated the FIFA investigation. Steele made a couple of introductions to individuals who provided different levels of information regarding corruption within FIFA and ultimately had provided a very interesting piece of intelligence that really highlighted the highest level of corruption for us.*<sup>5990</sup>

(U) The DOJ OIG report reflected this understanding as well: Steele introduced FBI to a contact, and “but for Steele’s assistance in arranging this meeting, the FBI would not have had the impetus to open the FIFA investigation in 2010.”<sup>5991</sup> [REDACTED] also told DOJ OIG that Steele provided two other investigative leads to the FBI in connection with FIFA. One was a report that Putin acknowledged a Russian oligarch had bribed the President of FIFA so Russia could win its bid to host the 2018 World Cup tournament. In 2012, Steele also introduced FBI to two British

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<sup>5987</sup> (U) SSCI Memorandum, “FBI Briefing on Steele ‘Dossier’ Sourcing,” February 15, 2018; *DOJ OIG FISA Report*, pp. 189–190.

<sup>5988</sup> [REDACTED] *DOJ OIG FISA Report*, p. 195 [REDACTED]

<sup>5989</sup> (U) SSCI Memorandum, “FBI Briefing on Steele ‘Dossier’ Sourcing,” February 15, 2018. On standup of the SCO, the Committee lost access to all relevant information regarding FBI’s efforts to verify the dossier, as it did with all information the SCO declared to touch its “equities.”

<sup>5990</sup> (U) [REDACTED] Tr., p. 13.

<sup>5991</sup> [REDACTED] *DOJ OIG FISA Report*, pp. 87–88. The Committee notes that the unnamed Handling Agent 1 for the DOJ OIG is also Special Agent [REDACTED]

[REDACTED]

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officials who had more information on this topic.<sup>5992</sup> Other FBI sources had corroborated Steele's reporting;<sup>5993</sup> [REDACTED] said it was "Not exactly similar, but very close."<sup>5994</sup>

(U) The DOJ OIG report also made clear, however, that Steele did not provide testimony in any court proceeding and his information was not used to obtain any compulsory legal process.<sup>5995</sup> That report discusses the gap in understanding of Steele's role between [REDACTED] and those on the Crossfire Hurricane investigation, saying that "SSA 1 told us the [Crossfire Hurricane] team had 'speculated' that Steele's prior reporting had been corroborated and used in criminal proceedings because they knew Steele had been 'a part of, if not predicated, the FIFA investigation.'" However, [REDACTED] told the DOJ OIG that "only 'some' of Steele's prior reporting had been corroborated—most of it had not—and . . . Steele's information was never used in a criminal proceeding."<sup>5996</sup> [REDACTED] told the Committee, that "In the criminal world... Christopher Steele would never be a witness in a criminal case for us. The individuals who he introduced us to would not be witnesses in a criminal case for us. But the intelligence that he provided is significant for us in terms of leads, in terms of which direction to go."<sup>5997</sup>

(U) Steele had provided information to the FBI on subjects other than FIFA. [REDACTED] told the Committee that "[Steele's] information was put into a number of IIRs that were sent out to the [intelligence] community. A few times—I can't say exactly how many—we would receive a response saying: that looks to be on point; can you develop more information on that line?"<sup>5998</sup> [REDACTED] said the information from Steele "ran the spectrum of average to very good."<sup>5999</sup> FBI also told the DOJ OIG that Steele in 2013 provided "lengthy and detailed reports to FBI on three Russian oligarchs, one of whom was among the FBI's most wanted fugitives."<sup>6000</sup>

(U) Steele and the FBI had different views on the nature of their relationship. The FBI had Steele officially enrolled as a CHS as of 2013.<sup>6001</sup> Steele, however, saw the relationship as contractual.<sup>6002</sup> Steele told the DOJ OIG that the nature of his relationship with the FBI "was never really resolved and both sides turned a blind eye to it. It was not really ideal."<sup>6003</sup> FBI

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<sup>5992</sup> (U) *DOJ OIG FISA Report*, p. 88.

<sup>5993</sup> (U) [REDACTED] Tr., p. 14.

<sup>5994</sup> (U) *Ibid.*, p. 15.

<sup>5995</sup> (U) *DOJ OIG FISA Report*, p. 88.

<sup>5996</sup> (U) *Ibid.*, p. 371.

<sup>5997</sup> (U) [REDACTED] Tr., p. 14.

<sup>5998</sup> (U) *Ibid.*, p. 17.

<sup>5999</sup> (U) *Ibid.*, p. 21.

<sup>6000</sup> (U) *DOJ OIG FISA Report*, p. 88.

<sup>6001</sup> (U) *Ibid.*, p. 90.

<sup>6002</sup> [REDACTED] *Ibid.*, p. 89. [REDACTED]

<sup>6003</sup> (U) *Ibid.*, pp. 90–91.

[REDACTED]

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paid Steele \$95,000 between 2013 and 2016 for a variety of work, but largely because of his work on the FIFA investigation.<sup>6004</sup>

**b. (U) FBI's Vetting of Steele**

(U) FBI examined Steele's history as a source using official procedures, but the review was lacking in thoroughness. Peter Strzok explained that generally the procedure for a "human validation review" is for FBI's Directorate of Intelligence to analyze an asset's entire case file, looking at the reporting history, the circumstances of recruitment, their motivation, and their compensation history.<sup>6005</sup> Strzok recalled that the result was "good to continue; that there were not significant concerns, certainly nothing that would indicate that he was compromised or feeding us disinformation or he was a bad asset."<sup>6006</sup> However, Strzok also said that after learning that reporters and Congress had Steele's information:

*[FBI] started looking into why he was assembling [the dossier], who his clients were, what the basis of their interest was, and how they might have used it, and who would know, it was apparent to us that this was not a piece of information simply provided to the FBI in the classic sense of a kind of a confidential source reporting relationship, but that it was all over the place.*<sup>6007</sup>

[REDACTED] Steele's handling agent submitted quarterly and annual source reports on Steele over the years, which raised no derogatory information and generally reflected positively on Steele's reporting, according to the DOJ OIG.<sup>6008</sup> In November 2016, a supervisory special agent on the Crossfire Hurricane team requested a Human Source Validation Review on Steele, which Counterintelligence Division delayed until early 2017 due to concerns about leaks of sensitive information. The Validation Unit completed its report on March 23, 2017. [REDACTED]

[REDACTED] The report also said:

*VMU assesses it is likely [Steele] has contributed to the FBI's Criminal Program. VMU makes this assessment with medium confidence, based on the fact that [Steele's] reporting has been minimally corroborated.*<sup>6010</sup>

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<sup>6004</sup> (U) Steele never received any compensation for his work on the dossier. [REDACTED] Tr., pp. 23–25, 74–76.

<sup>6005</sup> (U) Strzok Tr., p. 39.

<sup>6006</sup> (U) *Ibid.*, p. 41.

<sup>6007</sup> (U) *Ibid.*, p. 32.

<sup>6008</sup> (U) DOJ OIG FISA Report, p. 185.

<sup>6009</sup> (U) *Ibid.*, p. 186.

<sup>6010</sup> (U) *Ibid.*, p. 186.

[REDACTED]

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Priestap later told the DOJ OIG that he was surprised by the assessment of “minimally corroborated,” which conflicted with his general understanding that Steele had a “long, successful track record of reporting, that had withstood, in effect, judicial or court-of-law scrutiny.” It had not. Priestap also expressed concern that the FBI’s internal report on Steele did not address whether Steele’s reporting could be corroborated.<sup>6011</sup>

(U) The DOJ OIG in November of 2019 investigated the integrity of FBI’s vetting of human sources. The report says “We found that the FBI’s vetting process for CHSs, known as validation, did not comply with the Attorney General Guidelines. We also found deficiencies in the FBI’s long-term CHS validation reports, which are relied upon by FBI and DOJ officials in determining the continued use of a CHS.”<sup>6012</sup> The DOJ OIG further found that the FBI’s long-term CHS validation reports were insufficient “because they did not ensure the full scope of a long-term CHS’s operation was reviewed,” and FBI validation personnel told OIG “they were discouraged from documenting conclusions and recommendations.”<sup>6013</sup>

(U) The Committee notes that prior to Steele’s dossier reporting in 2016, Steele’s interactions with the FBI had been exclusively with the Criminal Division of FBI, rather than Counterintelligence Division. In the case of Steele, Counterintelligence Division assumed Criminal Division had fully vetted Steele and that the credibility of his work transferred into a new topic area. [REDACTED] Steele’s original handler, said that he had assumed Counterintelligence Division was doing its own checking on Steele.<sup>6014</sup> The DOJ OIG pointed out the incomplete efforts to explore Steele’s credibility in a footnote:

*We found that the first time the Crossfire Hurricane team accessed Steele’s Delta file was in November 2016. The Supervisory Intel Analyst told us that the team was in contact with [REDACTED] beginning in September and relied on him for information about Steele. [REDACTED] expressed surprise that the Crossfire Hurricane team did not access Steele’s Delta file earlier. He said that the team should have “turned the file upside down” looking for information two months earlier and that he assumed that some members of the team had thoroughly reviewed the file.*<sup>6015</sup>

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<sup>6011</sup> (U) *Ibid.*, pp. 186–187.

<sup>6012</sup> (U) DOJ, Office of the Inspector General, “Audit of the Federal Bureau of Investigation’s Management of its Confidential Human Source Validation Processes,” November 2019, p. i.

<sup>6013</sup> (U) *Ibid.* Generally, a CHS is considered “long-term” after five years. FBI never answered the Committee’s question on whether Steele was considered a “long-term” source.

<sup>6014</sup> (U) [REDACTED] Tr., p. 45.

<sup>6015</sup> (U) DOJ OIG FISA Report, p. 105. A “Delta file” refers to FBI’s Delta database, “which FBI agents use to record their interactions with, and information derived from, CHSs,” according to the DOJ OIG. *Ibid.*, p. 13.

[REDACTED]

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(U) The Committee also found that FBI’s vetting process for Steele was lacking in rigor and thoroughness.

**c. (U) FBI’s Attempts to Corroborate Steele’s Allegations**

(U) FBI worked to find corroborating information for the allegations in the dossier. The Committee saw few indications, however, that efforts to establish corroboration were either robust or successful, and FBI’s other investigative steps were completed after critical junctures in the fall of 2016. Finding additional facts was difficult with Steele’s reporting, according to [REDACTED] who said “[corroboration] didn’t happen often with his information because from our position his information was at such a unique level that it’s very difficult to corroborate that type of information.”<sup>6016</sup> [REDACTED] said Steele’s information was “at a unique level”<sup>6017</sup> because Steele had “a very small number” of “highly placed” individuals who were providing information but were unaware that that information was going to Steele.<sup>6018</sup>

(U) Baker confirmed the challenge FBI faced on the 2016 Steele memos:

*It pretty quickly led into some type of a conversation about how in the world are we going to go about validating this? . . . There were discussions about how to get back in touch with him about this material to get more details and to start to dig down to identify as quickly as possible his sub-sources and for the Bureau to go out and interact with the sub-sources to try to validate what was going on.*<sup>6019</sup>

(U) In an attempt to corroborate individual allegations in the dossier, FBI laid out the allegations in Steele’s memos in a detailed spreadsheet. McCabe said the spreadsheet was “really just the most general stuff that you could prove with travel records and kind of publicly known information, which, quite frankly, is not very satisfying.”<sup>6020</sup> Strzok said that, starting in September 2016, “there were people, agents and analysts, whose job specifically it was to figure this out and to do that with a sense of urgency.”<sup>6021</sup>

(U) The Committee reviewed a redacted version of that spreadsheet, which reflected progress made until May 2017, when the SCO began its work and FBI halted efforts on the dossier.

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<sup>6016</sup> (U) [REDACTED] Tr., p. 17.

<sup>6017</sup> (U) *Ibid.*

<sup>6018</sup> (U) *Ibid.*, p. 18.

<sup>6019</sup> (U) Baker Tr., pp. 126–127.

<sup>6020</sup> (U) McCabe Tr., pp. 89–90.

<sup>6021</sup> (U) Strzok Tr., p. 54.

[REDACTED]

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(U) One column of the spreadsheet was devoted to any information FBI had found to corroborate the allegations. Much of the information cited there as corroboration was press reporting. Given that Simpson and Steele briefed the press extensively on their information, the press pieces cited might also be sourced back to the Steele memos, rather than to additional, corroborating information.

(U) FBI also was unable to disaggregate some of the subsources' original reporting from information that had already appeared in the press. McCabe said:

*Were these things that Steele was telling us or that his sub-sources were telling him were already widely known in the press or otherwise and they were just reporting on what they were picking up in open source, or did they come across these facts before they were widely known and therefore you got pretty good intel? Quite frankly, for a lot of the Steele information it's quite hard to make that distinction.<sup>6022</sup>*

(U) As described by the DOJ OIG, as of September 2017, the FBI had corroborated limited information in the dossier, and much of that information was publicly available.<sup>6023</sup> This included basic facts such as Carter Page's travel to Moscow and the titles for some Russian government officials mentioned in the dossier.<sup>6024</sup> Further, many of the substantive allegations contained in numerous key reports in the dossier, including Reports 80, 94, 95, and 102, "remained uncorroborated and, in several instances, were inconsistent with information gathered by the Crossfire Hurricane team."<sup>6025</sup> The Committee was unable to secure from the SCO a final accounting of which allegations SCO pursued or was able to corroborate.

**6. (U) Other Recipients of the Dossier**

**ii. (U) Bruce Ohr and the Department of Justice**

(U) Bruce Ohr, an Associate Deputy Attorney General who had known Steele for a number of years, acted as a conduit for Steele's information into the FBI and DOJ from about 2009 through the summer and fall of 2016 and into 2017, well after FBI officially cut ties with Steele in early November 2016.

[REDACTED] Ohr met Steele in 2007 in London, where they were both working in their official capacities. Ohr was Chief of the then-Organized Crime and Racketeering Section

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<sup>6022</sup> (U) McCabe Tr., p. 195.

<sup>6023</sup> (U) DOJ OIG FISA Report, p. 198.

<sup>6024</sup> (U) *Ibid.*

<sup>6025</sup> (U) *Ibid.*

[REDACTED]

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of DOJ, and Steele was working for the British Government on Russia-related matters.<sup>6026</sup> Ohr told the Committee that he reported his contacts with Steele to the appropriate section of DOJ, [REDACTED].<sup>6027</sup> Ohr said:

*Generally the impression that I got was that Chris Steele was very concerned about the power and reach of Russian organized crime and its ability to corrupt the Russian government, and that includes . . . mobsters, oligarchs, government officials, all working together in various ways.*<sup>6028</sup>

(U) The two stayed in touch after Steele left British Government service to establish Orbis. Ohr and Steele did not discuss ongoing investigations; Steele would occasionally—about once a year—provide Ohr copies of his memos. Ohr received these memos acting in his official capacity, and he typically would pass them to the FBI.<sup>6029</sup>

(U) Ohr introduced Steele to [REDACTED] in the spring of 2010 so that [REDACTED] could be Steele’s main FBI point of contact.<sup>6030</sup> The intent was for FBI to get Steele’s memos directly, rather than have Ohr serve as an informal intermediary.<sup>6031</sup> Ohr maintained his own direct contact with Steele, in a professional capacity.<sup>6032</sup>

(U) In late July 2016, Steele communicated the contents of his first dossier memoranda to Bruce Ohr and his wife, Nellie, who at the time was working on contract as a researcher with Fusion GPS.<sup>6033</sup> On July 30, 2016, Steele asked Ohr and his wife to meet for breakfast the following day.<sup>6034</sup> Nellie Ohr told the Committee that she thought it would be a mostly social breakfast.<sup>6035</sup> However, according to Bruce Ohr, Steele “conveyed his fears that there . . . were contacts between the Russian government and the Trump campaign.”<sup>6036</sup> Steele also told the Ohrs that Carter Page had contacts with high-level Russian officials, that a source close to the

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<sup>6026</sup> (U) B. Ohr Tr., pp. 9, 12.

<sup>6027</sup> (U) *Ibid.*, pp. 15–16.

<sup>6028</sup> (U) *Ibid.*, p. 11–12.

<sup>6029</sup> (U) B. Ohr Tr., pp. 19, 22–23.

<sup>6030</sup> (U) *Ibid.*, pp. 17–18; *see also* [REDACTED] Tr., p. 6.

<sup>6031</sup> (U) B. Ohr Tr., p. 22.

<sup>6032</sup> (U) *Ibid.*, pp. 34, 40.

<sup>6033</sup> (U) B. Ohr Tr., p. 35. Nellie Ohr left Fusion GPS in September 2016. B. Ohr Tr., p. 62. Nellie Ohr told the Committee that Steele knew she worked for Fusion GPS. She stated “He told me that Glenn knows that we’re meeting. Glenn knows I’m meeting you.” When asked if that was surprising to her, she said yes, that “I hadn’t been aware that they knew each other.” N. Ohr Tr., pp. 17–18.

<sup>6034</sup> (U) Email, Steele to Ohr, July 29, 2016 (HPSCI (3-23-18)-DOJ-000008–9). Ohr and Steele also met for breakfast on Friday, September 23, at Steele’s hotel (Capital Hilton). *See* Email, B. Ohr to Steele, September 21, 2016 (HPSCI (3-23-2018)-DOJ-000011).

<sup>6035</sup> (U) N. Ohr Tr., p. 25.

<sup>6036</sup> (U) B. Ohr Tr., p. 35.

[REDACTED]

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former head of the SVR had heard that the Russians “have Trump over a barrel,” and that Deripaska and his attorney had “information that could make out some kind of a criminal case against Paul Manafort.”<sup>6037</sup> Bruce Ohr also told the Committee that, at the meeting, Steele discussed that he had shared the information with Fusion GPS.<sup>6038</sup> Further, Ohr said that, while he was not certain when he learned the information was also being shared with the Clinton Campaign, he recalled that he “probably was aware from the beginning.”<sup>6039</sup>

(U) After the meeting, Ohr recalled being troubled by the information he received unexpectedly from Steele and contacted both Deputy Assistant Attorney General Bruce Swartz and [REDACTED] told Ohr that an Executive Assistant Director at FBI Headquarters and executive management in the New York Field Office knew about Steele’s reporting and were addressing it.<sup>6040</sup>

(U) Ohr met with Glenn Simpson in late August 2016. Simpson told the Committee that “Chris [Steele] also told me that he had provided some of this stuff to a Justice Department prosecutor named Bruce Ohr and . . . told me that Bruce wanted to talk to me. So I also met with Bruce.”<sup>6041</sup> The Committee received documents indicating that on August 22, 2016, Simpson reached out to Ohr on email, asking Ohr to call Simpson and providing his phone number.<sup>6042</sup> According to the DOJ OIG, the two met later that day at Simpson’s request.<sup>6043</sup> Ohr told the Committee that at the meeting:

*[Simpson] passed some leads or possible intelligence. I think he may have been the one to say, or one of the ones saying: Look at Alfa Bank, look at this guy Torshin. So he provided some information at that time, and then I provided that to the FBI.*<sup>6044</sup>

(U) Ohr said he knew Simpson was working on behalf of a client, and he assumed the information he was gathering would be beneficial to the Democrats.<sup>6045</sup>

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<sup>6037</sup> (U) *Ibid.*, p. 37. Ohr clarified that the Attorney was Paul Hauser. He would not provide further information on his interactions with Hauser because it “might touch on other FBI investigative matters.” *Ibid.*, pp. 41–43.

<sup>6038</sup> (U) *Ibid.*, p. 38.

<sup>6039</sup> (U) *Ibid.*, pp. 38–39. Ohr’s recollection of when he became aware of who was funding Steele’s work was hazy and not specific as to a date. According to the DOJ OIG, it was at a second meeting with Steele on September 23, 2016, that Steele identified the person who was funding Fusion GPS’s opposition research, “however, [Ohr] did not recognize the name and could not remember it long enough to write it down after the meeting.” *DOJ OIG FISA Report*, pp. 278–279.

<sup>6040</sup> (U) *DOJ OIG FISA Report*, p. 277.

<sup>6041</sup> (U) Simpson Tr., p. 179.

<sup>6042</sup> (U) Email Simpson to Ohr, August 22, 2016 (HPSCI (3-23-18)-DOJ-000010).

<sup>6043</sup> (U) *DOJ OIG FISA Report*, p. 278.

<sup>6044</sup> (U) B. Ohr Tr., p. 115.

<sup>6045</sup> (U) *Ibid.*, p. 128-129.

[REDACTED]

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(U) Steele again reached out to Ohr in mid-September 2016 to request a meeting on matters of “mutual interest.”<sup>6046</sup> Ohr and Steele met on September 23, 2016.<sup>6047</sup> The DOJ OIG reports that, at the meeting, Steele discussed several topics, including more of Steele’s ongoing efforts related to the 2016 U.S. election and Deripaska’s<sup>6048</sup> willingness to come to the United States to testify against Manafort.<sup>6049</sup>

(U) Steele and Ohr talked again at Steele’s request about a month later, on October 18, 2016.<sup>6050</sup> In interviews with the DOJ OIG, neither Ohr nor Steele could recall the substance of the call, but both believed it might have been about Deripaska.<sup>6051</sup> The Committee obtained documents that support the idea they discussed Deripaska, perhaps primarily. After the call, Steele sent Ohr an email “[f]urther to our Skypecon earlier today and in terms of background.” In his email, Steele relayed that Hauser had asked if Steele would forward information about the “unfolding Government of Ukraine-RUSAL dispute.”<sup>6052</sup> Steele attached information about a dispute between the Ukrainian government and RUSAL related to the latter’s assets in Ukraine. Steele noted that Hauser was concerned about the politicization of the dispute and “rumours circulating this morn (sic) about new USG sanctions against RUSAL.”<sup>6053</sup>

(U) Shortly after his Skype call with Steele, Ohr contacted McCabe, and they agreed to meet later that day.<sup>6054</sup> Ohr told the Committee that he reached out to McCabe in particular because McCabe had a background in Russia-related cases and had previously worked with Ohr.<sup>6055</sup> Later that day, Ohr met with McCabe and Lisa Page, who was then serving as special counsel to McCabe.<sup>6056</sup> Ohr told the Committee his motivation was to pass Steele’s information to FBI,<sup>6057</sup> but Page’s notes from the meeting indicate that the group also discussed Deripaska.<sup>6058</sup> McCabe told the Committee that Ohr’s goal at the meeting was to find out who at FBI headquarters he should talk to about Steele: “I kind of handed him off to the team, the CI team, which would have been some combination of Bill [Priestap] or Pete [Strzok] or John

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6046 (U) Email, Steele to Ohr, September 16, 2016 (HPSCI (3-23-18)-DOJ-000011-000012)

6047 [REDACTED]

6048 [REDACTED]

6049 (U) *Ibid.*, pp. 278–279.

6050 (U) Email, Steele to Ohr, October 18, 2016 (HPSCI (3-23-18)-DOJ-000013); *DOJ OIG FISA Report*, p. 280.

6051 [REDACTED]

6052 (U) Email, Steele to Ohr, October 18, 2016 (HPSCI (3-23-18)-DOJ-000014-000015).

6053 (U) *Ibid.*

6054 [REDACTED]

6055 (U) B. Ohr Tr., p. 51. Ohr was asked whether McCabe’s past work on matters related to Deripaska had any relation to his reaching out to McCabe in particular. Ohr stated he was unable to answer the question because of concerns that doing so would reveal ongoing matters at the time.

6056 (U) McCabe Tr., pp. 92–93; [REDACTED]

6057 (U) B. Ohr Tr., p. 49–50.

6058 [REDACTED]

[REDACTED]

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[Moffa].<sup>6059</sup> Ohr recalled that he conveyed to McCabe and Page the information Steele had raised on the Skype call, provided context about his relationship with Steele, and explained his wife's connection to Fusion GPS.<sup>6060</sup> The Committee was unable to obtain any further information about the Deripaska-related discussion.

(U) At some point after his initial meeting with Steele in July 2016—Ohr did not recall when—Ohr told a limited number of colleagues at DOJ who were responsible for international crime and fraud about his discussions with Steele and Simpson, the meeting with McCabe, and that he had passed the information to the FBI. However, he did not inform anyone in the DOJ front office or DOJ leadership.<sup>6061</sup>

(U) Ohr said he continued to pass information back to FBI from Steele as it came in. On November 21, 2016, Ohr met with several members of the Crossfire Hurricane team, along with FBI Supervisory Special Agent [REDACTED] to discuss Steele. This interview was memorialized in an FBI memorandum called an FD-302.<sup>6062</sup> Ohr was in contact with the FBI about Steele's allegations beginning in late July or early August 2016, but the FBI did not take steps to formalize the intake of that information until mid-November, after FBI had terminated its direct relationship with Steele.<sup>6063</sup> The Committee is aware of 13 FBI FD-302s total regarding interviews with Ohr; Ohr estimated those reflected somewhere between 15 and 20 interviews.<sup>6064</sup>

(U) In December, Ohr met Simpson again. At that meeting Simpson passed Ohr a thumb drive. Ohr told the Committee: "My guess at that time was that had the dossier on it, but I don't remember specific—he didn't say and I didn't ask."<sup>6065</sup> Ohr did not look at it and passed it to the FBI.<sup>6066</sup>

(U) On December 20, Bruce Ohr also gave DOJ<sup>6067</sup> a thumb drive from Nellie Ohr. He never saw the contents, but he told the Committee he was generally aware of them.<sup>6068</sup> He told the Committee that it was different from the contents of Glenn Simpson's thumb drives and

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<sup>6059</sup> (U) McCabe Tr., p. 93.

<sup>6060</sup> (U) B. Ohr Tr., p. 53. Ohr said he considered the information about his wife's affiliation to be "an important disclosure to make."

<sup>6061</sup> (U) *Ibid.*, pp. 57–59. For more information on the knowledge of Ohr's activities within DOJ, see DOJ OIG FISA Report.

<sup>6062</sup> (U) B. Ohr Tr., pp. 63–64.

<sup>6063</sup> (U) B. Ohr Tr., p. 88–90.

<sup>6064</sup> (U) *Ibid.*, p. 93.

<sup>6065</sup> (U) *Ibid.*, p. 118.

<sup>6066</sup> (U) *Ibid.*, p. 118.

<sup>6067</sup> (U) The Committee notes that Ohr's testimony suggests he gave the Simpson thumb drive to FBI but the Nellie Ohr thumb drive to DOJ; It is not clear if by "DOJ" Ohr meant FBI.

<sup>6068</sup> (U) *Ibid.*, p. 142.

[REDACTED]

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included Nellie Ohr's work on the 2016 election for Fusion. "I believe it was on some of the same characters," Ohr said.<sup>6069</sup>

(U) Steele in early 2017 seemed to use Ohr as a venue for expressing concerns about investigations into Russian interference and for insight into the U.S. Government, judging from documentation provided to the Committee.

- (U) In March 2017, Steele expressed concern about the U.S. Senate, saying he had received a letter from Senator Charles Grassley, then Chairman of the Judiciary Committee, and expressed concern about "its possible implications for us, our operations and our sources. We need some reassurance."<sup>6070</sup> After a phone call with Ohr, Steele said, "Thanks for that, old friend. Please do fight our cause and keep in touch. Really fundamental issues at stake here."<sup>6071</sup>
- (U) Also in late March 2017, Steele texted Ohr that "we understand an approach from the Senate Intelligence Committee to us is imminent. I would like to discuss this and our response with you in the next couple of days if possible."<sup>6072</sup> They agreed to speak on Sunday, March 26.<sup>6073</sup> On the 30<sup>th</sup>, Steele expressed further reservations about engaging with the Committee and asked for an update.<sup>6074</sup> Ohr said he had none.<sup>6075</sup>

(U) FBI continued to capitalize on Ohr's discussions with Steele through 2017. In May, the agent assigned as Ohr's primary point of contact<sup>6076</sup> asked Ohr to ask Steele whether he would consider a meeting with FBI. Ohr told the Committee:

*I asked Chris Steele whether he would be willing to talk to the FBI . . . I recall putting a caveat on that, saying: They just want to talk; it's not going to necessarily be resuming a relationship; they just want to talk; would you be interested in that? And his response was: Yes; I need to check with my business partner and my former employer, but yes.<sup>6077</sup>*

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<sup>6069</sup> (U) *Ibid.*, p. 144.

<sup>6070</sup> (U) Text message, Steele to B. Ohr, March 7, 2017 (HPSCI (3-23-18) DOJ-000025). Although these documents are labeled for distribution to the HPSCI, DOJ and FBI provided them to this Committee.

<sup>6071</sup> (U) Text message, Steele to B. Ohr, March 7, 2017 (HPSCI (3-23-18) DOJ-000026).

<sup>6072</sup> (U) Text message, Steele to B. Ohr, March 24, 2017 (HPSCI (3-23-18) DOJ-000026).

<sup>6073</sup> (U) Text messages, Steele and B. Ohr, March 24, 2017 (HPSCI (3-23-18) DOJ-000026).

<sup>6074</sup> (U) Text message, Steele to B. Ohr, March 30, 2017 (HPSCI (3-23-18) DOJ-000027).

<sup>6075</sup> (U) Text message, B. Ohr to Steele, March 30, 2017 (HPSCI (3-23-18) DOJ-000027).

<sup>6076</sup> (U) At this point in time, the primary agent serving as Ohr's point of contact had changed. *DOJ OIG FISA Report*, p. 287.

<sup>6077</sup> (U) B. Ohr Tr., p. 157.

[REDACTED]

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(U) On May 15, 2017, Steele texted Ohr, telling him that “having now consulted my wife and business partner about the question we discussed on Saturday I’m pleased to say yes, we should go ahead with it.”<sup>6078</sup> As of August 2017, the reengagement between FBI and Steele had not happened, and Steele was frustrated by the delay.<sup>6079</sup> Steele eventually met with FBI representatives assigned to the SCO in September 2017.<sup>6080</sup>

(U) Ohr and Steele stayed in contact through at least November 2017.<sup>6081</sup>

(U) In response to a Committee question on whether Ohr being interviewed by the FBI was a normal arrangement, particularly for a lawyer at DOJ, Ohr said he was not surprised that FBI memorialized the conversations, but he thought the information flow in general was “an unusual situation.”<sup>6082</sup> Ohr said, “I thought that as long as he’s calling me and there is information that might be important I should pass it to the FBI, whether or not they had a relationship with him. So I can’t really say whether they were using me as a cutout or not.”<sup>6083</sup> Ohr said he had never handled an asset or confidential human source before, and reiterated that he would have preferred if FBI had talked to Steele directly.<sup>6084</sup> He also said he viewed his engagements with FBI regarding Steele as in his official capacity.<sup>6085</sup> Ohr explained how he understood his ongoing reporting to the FBI: “I don’t think they ever said ‘You must call us every time you hear from him.’ But they gave me a point of contact to give information to. So I continued to do that.”<sup>6086</sup>

(U) McCabe clearly conveyed to the Committee that he did not realize the Ohr-Steele discussions would be an ongoing interaction. McCabe said, “I had one meeting with Bruce . . . I was not aware that we were continuing to interview Bruce until recently.” He also said that “My guess is that Bruce continued to [interact] with Steele in the same way that he had for many years, and presumably before we were even in touch with him. And if Bruce was so inclined to bring that information to our attention, we would document it.”<sup>6087</sup>

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<sup>6078</sup> (U) Text message, Steele to B. Ohr, May 15, 2017 (HPSCI (3-23-18) DOJ-000027).

<sup>6079</sup> (U) Text message, Steele to B. Ohr, August 6, 2017 (HPSCI (3-23-18) DOJ-000028) (“Hi Bruce, hope you're well and getting some holiday with the family. Whenever convenient I would like a chat, there's a lot going on and we are frustrated with how long this reengagement with the Bureau and Mueller is taking. Anything you could do to accelerate the process would be much appreciated. There are some new, perishable, operational opportunities which we do not want to miss out on. Best to All, Chris.”).

<sup>6080</sup> (U) *DOJ OIG FISA Report*, p. 288.

<sup>6081</sup> (U) Text message, B. Ohr to Steele, November 27, 2017 (HPSCI (3-23-18) DOJ-000030).

<sup>6082</sup> (U) B. Ohr Tr., p. 64.

<sup>6083</sup> (U) *Ibid.*, p. 85.

<sup>6084</sup> (U) *Ibid.*, p. 85.

<sup>6085</sup> (U) *Ibid.*, p. 18.

<sup>6086</sup> (U) *Ibid.*, p. 86.

<sup>6087</sup> (U) McCabe Tr., pp. 92–99.

[REDACTED]

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(U) The DOJ OIG interviewed leadership at FBI and supervisory-level agents about their interactions with Ohr. Those conversations reflect a divergence of understandings of Ohr’s role. For example, one of the four agents who served as Ohr’s official point of contact with FBI on Steele material said that Ohr was “just some [person] you [had] to talk to when [he] call[ed].”<sup>6088</sup> That agent had concerns about the arrangement, and the DOJ OIG wrote that the agent “did not task Ohr because of the appearance of using Ohr to obtain information from a closed source, calling that ‘out of the norm.’”<sup>6089</sup> Similarly, another of the agents assigned to be Ohr’s point of contact told the DOJ OIG that he discussed with a colleague who also served as one of Ohr’s points of contact “it being a ‘bad idea’ to continue engaging with Ohr regarding his contacts with Steele.”<sup>6090</sup>

(U) FBI Leadership, conversely, seemed to regard the relationship as informal. For example, Bill Priestap told the DOJ OIG that he was surprised to learn that the FBI treated Ohr more like a witness or a source. He further said that, had he known the extent of Ohr’s activities, it would have raised “red flags” for him.<sup>6091</sup> James Baker told the DOJ OIG that he viewed the arrangement as “imprudent” and “a bit of a mess” but that he believed McCabe, [Executive Assistant Director Mike] Steinbach, and Priestap were “on top of it.”<sup>6092</sup> The Committee found that somewhere between the agent level and the leadership level, communication broke down regarding the formality and nature of FBI’s relationship with Ohr.

**ii. (U) Department of State**

(U) In September 2016,—after [REDACTED] Ohr, and some press became aware of the dossier memos but before the October 3 FBI debrief of Steele in [REDACTED]—Steele also shared the allegations in the dossier with a small number of Department of State officials, apparently motivated by a concern that the FBI was not moving quickly enough to investigate. Steele first shared his information, in summary form, with Jonathan Winer (then-Special Envoy to Libya), who shared the summary with Victoria Nuland (then-Assistant Secretary for European Affairs), Jonathan Finer (then-Chief of Staff to the Secretary and Director of Policy Planning), and Anne Patterson (then-Assistant Secretary for Near Eastern Affairs). Finer likely briefed then-Secretary of State John Kerry at some point on the Steele allegations. Steele also met with Winer and then-Deputy Assistant Secretary of State Kathleen Kavalec in September and October to discuss his findings.

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<sup>6088</sup> (U) *DOJ OIG FISA Report*, p. 292. Brackets in original.

<sup>6089</sup> (U) *Ibid.*

<sup>6090</sup> (U) *Ibid.*, p. 292.

<sup>6091</sup> (U) *Ibid.*, p. 293–294.

<sup>6092</sup> (U) *Ibid.*, p. 294. The Committee notes that Baker told the Committee during his interview that he was not aware of the extent of Ohr’s involvement with Steele. Baker Tr., pp. 149–153.

[REDACTED]

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(U) Steele had established ties to Department of State officials, through his relationship with Winer. Winer described his early relationship with Steele as:

*In 2009, after I had moved to APCO Worldwide and was still engaged in various types of Russian representation all over the map—some might be pro-Putin, some might be anti-Putin; it was any work that was consistent with their needs and my values—I met Christopher Steele, who had just left [British Government Service].*<sup>6093</sup>

(U) Winer said that he and Steele never formally worked together. According to Winer:

*[Steele] never paid me anything. I never paid him anything. Our decision to try and work with one another and to stay in touch was based on mutual affinity in light of mutual knowledge and interest in . . . this esoteric topic [Russian organized crime].*<sup>6094</sup>

(U) Starting in 2013, Steele offered Winer, who was then at Department of State, reports he had written for clients on Russian-Ukrainian political leadership, economic issues, and political security.<sup>6095</sup> Winer showed them to Nuland, who asked Winer to share them with her Principal Deputy, Paul Jones.<sup>6096</sup> Winer recounted Nuland's reaction: "She said, these are good reports; they're valuable; keep them coming."<sup>6097</sup> Winer further said that State officials thought the reports were "shockingly real-time."<sup>6098</sup> Nuland, who said that she never met Steele, told the Committee, "I found his stuff to be 70, 75 percent accurate, credible...when he was off base, it generally looked to me, felt to me, like he had been paying human sources who were exaggerating or getting extra money by pumping up what they knew or extrapolating."<sup>6099</sup> The Department of State did not pay Steele for the reports,<sup>6100</sup> and the Committee does not know who Steele's private clients were.

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<sup>6093</sup> [REDACTED] Winer Tr., p. 11. When asked whether he ever reported his contact with Steele to security officers, in the context of his security clearance at Department of State, Winer sai [REDACTED]

saw no need for any contact report, for both those reasons." Winer Tr. II, p. 25.

<sup>6094</sup> (U) Winer Tr., p.13.

<sup>6095</sup> (U) *Ibid.*, pp. 19, 24, 28.

<sup>6096</sup> (U) *Ibid.*, pp. 19–20. For example, see Email, Winer to [Sr. Admin. Associate to Amb. Brett McGurk], March 5, 2015 (CDP-2017-00011E-001810–1811).

<sup>6097</sup> (U) Winer Tr., pp. 19–20.

<sup>6098</sup> (U) *Ibid.*, p. 22.

<sup>6099</sup> (U) Nuland Tr., pp. 41–42.

<sup>6100</sup> (U) *Ibid.*, p. 45.

[REDACTED]

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(U) Between late 2013 and January of 2016,<sup>6101</sup> Steele provided at least 110 reports to Winer.<sup>6102</sup> Winer reported that he and his colleagues at State attempted to conceal the origin of the information to protect Steele and his sources. “We would denature it. It wouldn’t say ‘Orbis’ any more. It would say ‘O Report,’ for example.”<sup>6103</sup> Winer would also transfer the reports from State’s unclassified systems to State’s classified systems.<sup>6104</sup> Winer also said that:

*None of these related to Trump, Manafort, or any other name that has emerged on the American side. None of this related to any American, period, or to any political person in the United States, period. It related to Ukrainians and Russians, nobody else. It was about their deal, about Crimea, Ukraine issues, Russia’s undermining of Ukraine, the various stratagems of Ukrainian officials, various stratagems of Russian officials, Russia’s economic problems as oil prices decreased, the strength or weaknesses of particular banks in terms of what they were facing, that kind of thing.*<sup>6105</sup>

(U) The frequency of these reports ebbed, then nearly stopped early in 2016. Winer told the Committee that Steele was no longer producing reports because his client stopped paying him, and that the client’s “needs had been answered.”<sup>6106</sup>

**a. (U) The Dossier at Department of State**

(U) As with previous Steele reports, Winer served as the main conduit for the dossier materials into the Department of State. Winer met Steele in D.C. in September 2016, and Steele conveyed the core of his election-related findings in an oral briefing.<sup>6107</sup> Winer told the Committee: “He was extraordinarily distressed about it. He also said he was as certain, if not more certain, about the information that he had acquired as anything he’d ever acquired in his career.” When asked why Steele was so certain, Winer said “the amount of sourcing is my guess, but I don’t know.”<sup>6108</sup>

(U) Shortly thereafter, still in September, Winer asked the heads of Fusion GPS if he could read the actual documents. Fritsch and Simpson showed him the memos and let him take

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<sup>6101</sup> (U) Winer Tr., p. 24.

<sup>6102</sup> (U) *Ibid.*, pp. 21–22.

<sup>6103</sup> (U) *Ibid.*, p. 21–22.

<sup>6104</sup>

[REDACTED] See *infra* Vol. 5, Sec. IV.B.4.iv.

<sup>6105</sup> (U) Winer Tr., p. 27.

<sup>6106</sup> (U) *Ibid.*, p. 27, 29–30.

<sup>6107</sup> (U) *Ibid.*, p. 48.

<sup>6108</sup> (U) *Ibid.*, p. 37.

[REDACTED]

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notes. Winer said “I created a two-page document of the highlights from it for sharing with key people at the Department of State I thought would need to know.”<sup>6109</sup>

(U) Winer shared his summary with Nuland, who directed Winer to share it with Finer, under the instruction that it not be shared with anyone other than Kerry.<sup>6110</sup> Winer told the Committee that he also shared it with Patterson, who was Winer’s boss.<sup>6111</sup> In addition, Kavalec’s notes from a September 27, 2016, meeting include references to “Orbis,” “Winer,” “20-30 reports,” “Trump + Rs,” “feeding Kremlin kompromat on R oligarchs,” “wanted real estate,” “prostitutes” and “Ritz Carlton.”<sup>6112</sup>

(U) Nuland told the Committee that she was concerned about the information and suggested that in addition to it being shared with Finer, as Kerry’s Chief of Staff, that Winer ask Steele whether Steele would be willing to be interviewed by CIA or FBI.<sup>6113</sup> In Winer’s recollection, Nuland immediately asked him whether FBI also had the information; Winer responded that he didn’t know. Winer relayed to the Committee that:

*[Nuland] had some conversation with the FBI and became convinced their wires were not fully integrated, that there were different people in the Bureau who didn’t have access to the same information, and that they needed to be brought together so they could deal with it as an institution.*<sup>6114</sup>

(U) Related to these inquiries, Steele told Winer about the upcoming meeting in [REDACTED] in early October 2016 with FBI personnel and said he was in contact with the FBI Legal Attaché in [REDACTED].<sup>6115</sup>

(U) Finer told the Committee that he got a roughly four- or five-page summary of the dossier’s contents from Winer, perhaps in August, but his memory of the date was unclear.<sup>6116</sup> Winer remembered Finer briefing Kerry in September.<sup>6117</sup> Finer said he treated it as extremely sensitive:

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<sup>6109</sup> (U) *Ibid.*, p. 49. Other witnesses, in particular Victoria Nuland and Jonathan Finer, remembered a four-page summary document. Nuland Tr., p. 44; Finer Tr., p. 32.

<sup>6110</sup> (U) Nuland Tr., p. 44.

<sup>6111</sup> (U) Winer Tr., p. 50.

<sup>6112</sup> (U) Kavalec, handwritten notes (CDP-2017-00011F-000160).

<sup>6113</sup> (U) Nuland Tr., pp. 44–50.

<sup>6114</sup> (U) Winer Tr., p. 52.

<sup>6115</sup> (U) *Ibid.*, pp. 52–53.

<sup>6116</sup> (U) SSCI Transcript of the Interview with Jonathan Finer, July 11, 2017, p. 32.

<sup>6117</sup> (U) Winer Tr., pp. 51–52.

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*I locked it up in my safe every night. I don't think I briefed anyone at the State Department on it at all other than Secretary Kerry. And I didn't even tell him right away . . . I wasn't honestly sure what to make of it, because Jonathan [Winer] I think had a relationship with Steele or knew Steele or trusted him. I didn't [have a relationship with Steele] and some of the stuff in there . . . is pretty salacious and shocking. So what I didn't want was to get the Secretary of State all spun up about something that I didn't know how to vouch for or validate. But at a certain point, when I got the sense that lots of other people in Washington had this, I didn't also want to leave him in the dark.<sup>6118</sup>*

(U) When Finer told Secretary Kerry about the allegations, he contextualized his briefing as “I don’t have any way to know what in here is true or not true; I don’t know that this requires or suggests any action on our part.” He told the Committee, “my advice was, let’s just leave this with [FBI] and see what happens.”<sup>6119</sup> Secretary Kerry told the Committee that he remembered hearing rumors, but he did not recall being briefed or otherwise learning about the existence of the dossier prior to its publication, a discrepancy the Committee was unable to resolve.<sup>6120</sup>

**b. (U) October Meeting at State**

(U) On October 11, 2016, Steele met with Winer and Kavalec at the Department of State.<sup>6121</sup> It is unclear how the meeting was initiated. Winer likely set up the meetings, judging from his long-time role as an interlocutor between Steele and the Department of State, his signing Steele into the building,<sup>6122</sup> his name appearing in Kavalec’s notes from the meeting,<sup>6123</sup> and Steele’s assertion that Winer invited him to the Department of State to brief.<sup>6124</sup> Steele indicated in his written answers to the Committee that he thought he would meet Nuland, but she intentionally avoided the meeting.<sup>6125</sup> Nuland told the Committee she “made a conscious decision to have a cut-out relationship with [Steele], again because I’m worried about any perception that I’m involved in something that could come back to be a Hatch Act violation.”<sup>6126</sup>

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<sup>6118</sup> (U) Finer Tr., p. 33.

<sup>6119</sup> (U) *Ibid.*, p. 34.

<sup>6120</sup> (U) SSCI Memorandum, Staff interview with Former Secretary Kerry, October 27, 2017.

<sup>6121</sup> (U) State, Virtual Reading Room Documents “Notes from Meeting with Chris Steele and Tatyana Duran of Orbis Security,” October 11, 2016.

<sup>6122</sup> (U) Visitor log entry from Department of State, October 11, 2016 (CDP-2017-00011F-000530) (indicating that Winer signed for Steele’s entry to the Department of State; Winer Tr. II, p. 27.

<sup>6123</sup> (U) State, Virtual Reading Room Documents “Notes from Meeting with Chris Steele and Tatyana Duran of Orbis Security,” October 11, 2016; Kavalec, handwritten notes (CDP-2017-00011F-000162).

<sup>6124</sup> (U) Written Responses, Steele, August 16, 2018.

<sup>6125</sup> (U) *Ibid.*

<sup>6126</sup> (U) Nuland Tr., p. 45.

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(U) In his first interview with the Committee, Winer discussed how he shared a summary of Steele's reports within the Department of State and his other activities in September or October of 2016,<sup>6127</sup> but he omitted facilitating meetings between Steele and U.S. Government officials during September and October 2016. However, in his second interview, when shown visitor logs from the Department of State listing Steele as his visitor, Winer said he remembered bringing Steele to the Department of State but did not recall when.<sup>6128</sup> Winer recalled that: Steele "wanted to meet someone in the Russia territory of the Department of State, in light of the information he had."<sup>6129</sup> As a result, Winer said he "touched base with [Nuland] and she was out, and so Kathy agreed to take the meeting."<sup>6130</sup> Winer recalled that at the meeting between Steele and Kavalec:

*I think [Steele] provided a summary of what he'd already provided me earlier relating to the dossier. But I don't remember any of the details at this point at all. I remember where the meeting took place. The only meeting I recollect him having was with Kathy Kavalec. I remember it being in her office, and . . . I escorted him to her office. And it was about the Russia intrusion into our election system and the question of whether there'd been Russian compromise.*<sup>6131</sup>

(U) Steele stated in his written responses to the Committee that he met with Kavalec and Winer for about an hour.<sup>6132</sup> According to Steele, they talked about the substance of the dossier but Steele did not show Kavalec the memos nor did he bring them to the meeting.<sup>6133</sup> Kavalec's notes from the meeting reflect that substance. They also mention that a "Tatyana Duran" from "Orbis Security" attended the meeting.<sup>6134</sup> Winer understood that Duran worked for Steele as a researcher.<sup>6135</sup>

(U) Kavalec's notes outline many of the dossier's major themes and allegations. For example, a typed version of her notes shows "the Russians have not needed to use that

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<sup>6127</sup> (U) Winer Tr., pp. 50-51.

<sup>6128</sup> (U) State, visitor logs, October 11, 2016 (CDP-2017-0011F000530); Winer Tr. II, p. 27. Before he saw the logs, Winer answered the question "Did you help facilitate any meetings with Mr. Steele and U.S. Government officials during September and October 2016?" by saying "I don't think so." *Ibid.*, p. 8. In addition to the October 2016 meeting, Winer believed he may have facilitated a meeting at the Department of State between Steele and Paul Jones, although Winer was uncertain if such a meeting had occurred. Winer stated that if it had, it was prior to any work Steele had done related to Trump. Winer Tr. II, pp. 27-28.

<sup>6129</sup> (U) Winer Tr. II, p. 37.

<sup>6130</sup> (U) *Ibid.*, p. 37.

<sup>6131</sup> (U) Winer Tr. II, pp. 30-31.

<sup>6132</sup> (U) Written Responses, Steele, August 16, 2018.

<sup>6133</sup> (U) *Ibid.*

<sup>6134</sup> (U) State, Virtual Reading Room Documents "Notes from Meeting with Chris Steele and Tatyana Duran of Orbis Security," October 11, 2016.

<sup>6135</sup> (U) Winer Tr. II, p. 38.

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‘kompromat’ on [Trump] as he was already interested in cooperation,” and “Manafort has been the go-between with the campaign,” and “Ivanov persuaded Putin it was possible to use the hacked information and run an operation without being detected, while others argued against it.” Further, Kavalec’s notes reflect some sourcing information, such as, “Steele also mentioned an émigré Amcit by the name of Serge Millian who may be involved in some day [sic]. Steele noted Millian had left the U.S. and seemed to have disappeared.”<sup>6136</sup>

(U) Department of State officials did not specify to the Committee any particular actions they took on the substance of the dossier, other than to ask FBI if they were engaging with Steele and investigating the allegations about Alfa Bank’s relationship with Putin. Nuland told the Committee that she found those allegations, as outlined in the dossier, unlikely to be true.<sup>6137</sup> Nuland said, regarding Alfa Bank in particular: “[the FBI said] we’ve looked at it; we don’t think there’s anything. And we said: Okay. This is not our job. Our job is working with Russia. So as long as the right people are talking to the right people, fine.”<sup>6138</sup>

(U) After Steele’s memos were published in the press in January 2017, Steele asked Winer to make note of having them, then either destroy all the earlier reports Steele had sent the Department of State or return them to Steele, out of concern that someone would be able to reconstruct his source network. Winer told the Committee, “So I destroyed them, and I basically destroyed all the correspondence I had with him” on Winer’s personal devices.<sup>6139</sup> Department of State was able to produce for the Committee, from their archives, many Steele memos from 2015 and some from 2016, but most of his reports from 2014 are missing.

[REDACTED]

**iii. (U) McCain and Kramer**

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<sup>6136</sup> (U) State, Virtual Reading Room Documents “Notes from Meeting with Chris Steele and Tatyana Duran of Orbis Security,” October 11, 2016. For complete handwritten notes, *see* Kavalec, handwritten notes (CDP-2017-00011F-000162–172). Another typed version of Kavalec’s notes also lists information that appeared in the dossier, *see* Kavalec, handwritten notes (CDP-2017-00011F-000389-390).

<sup>6137</sup> (U) Nuland Tr., p.42.

<sup>6138</sup> (U) *Ibid.*, p. 51.

<sup>6139</sup> (U) Winer Tr., p. 62; Winer noted, “I also in the same period of time, by the way, in accordance with State Department strictures, destroyed essentially every email I had from the State Department during my tenure, because I’m not supposed to retain anything relating to my State Department work. That’s owned by the government; it’s not owned by me.” *Ibid.*, pp. 62-63.

<sup>6140</sup>

[REDACTED]

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(U) After FBI had cut ties with Steele, and Trump won the election, Steele sought another audience to help ensure that FBI was pursuing his information: Senator John McCain. Simpson told the Committee that Steele approached him around Thanksgiving and raised the idea of talking to David Kramer, a longtime aid to McCain, as an intermediary with the Senator.<sup>6141</sup> Simpson also knew Kramer, who had once given Simpson some information on Deripaska: “I had to deal with him when I broke a story [in 2007] about Deripaska being excluded from the United States, the fact that he couldn’t get a visa, and that he was lobbying to get his visa restrictions lifted.”<sup>6142</sup> Simpson told Steele that Kramer was “on the right side of the Russia issue” and that they could trust him.<sup>6143</sup>

(U) Sir Andrew Wood, former British Ambassador to Russia and Yugoslavia and an associate of Orbis,<sup>6144</sup> approached Kramer, who introduced him to Senator McCain on November 19, 2016, in Halifax, at an annual conference there, to describe Steele’s research.<sup>6145</sup> Kramer told the Committee that he had known Wood for a few years, and that he has “enormous respect” for him.<sup>6146</sup> At Senator McCain’s direction, Kramer traveled to London on November 28, 2016.<sup>6147</sup> Kramer told the Committee that Wood “arranged for Steele to meet me at Heathrow airport.”<sup>6148</sup> Kramer continued:

*The whole purpose was for me to convey [the memos] to Senator McCain . . . [Steele] was very concerned with what he had discovered and felt that having Senator McCain do whatever it was that Senator McCain might decide to do would be a necessary push to get this taken more seriously.*<sup>6149</sup>

(U) Kramer read the memos and reviewed Steele’s source list sitting at Steele’s dining room table.<sup>6150</sup> Kramer did not take any documents with him.<sup>6151</sup> Kramer said that he was informed by Steele that Steele had given the memos to the FBI through a contact, but that communication with the FBI had “abruptly ended a month or so” before Kramer flew to London

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<sup>6141</sup> (U) Simpson Tr., pp. 146–147.

<sup>6142</sup> (U) *Ibid.*

<sup>6143</sup> (U) *Ibid.*, p. 147.

<sup>6144</sup> (U) Defence, *Aleksej Gubarev, et al, and Orbis Business Intelligence Ltd., et al.*, Claim No HQ17D00413 (High Court of Justice April 4 2017).

<sup>6145</sup> (U) Written Responses, Kramer, August 25, 2017.

<sup>6146</sup> (U) Kramer Tr., p. 6.

<sup>6147</sup> (U) Written Responses, Kramer, August 25, 2017; Kramer Tr., p. 5.

<sup>6148</sup> (U) Kramer Tr., p. 6.

<sup>6149</sup> (U) *Ibid.*, p. 8.

<sup>6150</sup> (U) *Ibid.*, p. 26

<sup>6151</sup> (U) *Ibid.*, p. 26

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to meet with him.<sup>6152</sup> Kramer did not indicate if he knew why Steele's affiliation with FBI had ended.

(U) The next day, when Kramer arrived back in the United States, he met with Simpson at Steele's request.<sup>6153</sup> Simpson gave Kramer two copies of the dossier—one redacted and one not.<sup>6154</sup> Kramer recalled that the redacted version had only 20 pages, while the unredacted version, which he had first read in London, consisted of 33 pages.<sup>6155</sup> Simpson told the Committee that "I walked [Kramer] through this and told him we didn't know whether a lot of stuff was true, but that we knew a lot of stuff—I remember talking to him about my suspicion that the Russians were also helping Trump in the primaries."<sup>6156</sup> Simpson refused to provide additional information about Kramer, again citing First Amendment privilege.<sup>6157</sup>

(U) On November 30, 2016, Kramer gave unredacted copies of the memos to McCain.<sup>6158</sup> According to Kramer, McCain directed him to share the information with Celeste Wallander, who was then Senior Director for Russian and Eurasian Affairs at the National Security Council.<sup>6159</sup> Kramer recalled that he at first just discussed the dossier with Wallander, but that later she received a copy.<sup>6160</sup> McCain gave a copy to FBI Director Comey on December 9, 2016, and mentioned the contents of the dossier to Chairman Richard Burr, who in turn spoke to Comey to confirm FBI's awareness of the allegations.<sup>6161</sup>

(U) Kramer discussed and, in some cases, eventually passed copies of the dossier to several other individuals, some of whom were journalists.<sup>6162</sup> Kramer recalled that Steele had requested he speak with two other individuals who were not in government and who had previously contacted Steele. Kramer said that Steele "had reached a point where he didn't want

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<sup>6152</sup> (U) Written Responses, Kramer, August 25, 2017.

<sup>6153</sup> (U) Kramer Tr., p. 4.

<sup>6154</sup> (U) Written Responses, Kramer, August 25, 2017.

<sup>6155</sup> (U) *Ibid.*

<sup>6156</sup> (U) Simpson Tr., pp. 148.

<sup>6157</sup> (U) *Ibid.*, p. 153.

<sup>6158</sup> (U) Kramer Tr., p. 4–5.

<sup>6159</sup> (U) *Ibid.*, p. 13; *Crime in Progress*, p. 141.

<sup>6160</sup> (U) Kramer Tr., p. 13.

<sup>6161</sup> (U) *DOJ OIG FISA Report*, p. 180. The DOJ OIG cites Comey's email to his staff, which reads in part: "I added [to DNI Clapper] that I believed that the material, in some form or fashion, had been widely circulated in Washington and that Senator McCain had delivered to me a copy of the reports and Senator Burr had mentioned to me the part about Russian knowledge of sexual activity by the President-Elect while in Russia."

<sup>6162</sup> (U) *DOJ OIG FISA Report*, p. 178. According to Steele's written responses to the Committee, he also gave information from the dossier to a British national security official and to Strobe Talbott, who was then at the Brookings Institution, with the intent that Talbott would share the memos with senior U.S. Government officials. See Written Responses, Steele, August 16, 2018. The Committee does not know how Talbott received the documents or if Talbott further shared them.

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to talk to other people about it. So he requested that I do so.”<sup>6163</sup> In his written answers, Kramer put his communications regarding the dossier in the context of news outlets already having the information.<sup>6164</sup>

(U) According to Kramer, several news outlets, including *Mother Jones*, *The Guardian*, *The Washington Post*, and *ABC News*, contacted Kramer. His interpretation was that these outlets had already either seen or had copies of the memos.<sup>6165</sup> According to Kramer, the outlets had also heard, “not from me, that I had given the memos to Sen. McCain. I confirmed that indeed I had.”<sup>6166</sup> Kramer also knew that Steele and Simpson had given “a version of the memos to the *New York Times* but were frustrated that the paper had not done, in their view, anything with them.”<sup>6167</sup> In response to subsequent foreign litigation, Kramer has stated that Steele requested that Kramer meet with *BuzzFeed*, and that Steele had neither asked nor prohibited Kramer from sharing a copy of the dossier with *BuzzFeed*.<sup>6168</sup> As part of the same litigation, Kramer stated that Steele was aware that Kramer was also sharing the dossier with *The Washington Post*.<sup>6169</sup>

(U) In mid-December 2016, Simpson gave Kramer the final two pages of the dossier, which are dated December 13.<sup>6170</sup> In total, Kramer had a series of 17 memos totaling 35 pages, dated from June 20, 2016 and ending with December 13, 2016.<sup>6171</sup>

(U) Kramer says he spoke with Steele a total of eight to ten times, almost entirely by phone. Their last contact was in late February or early March of 2017.<sup>6172</sup>

**iv. (U) Simpson’s and Steele’s Efforts to Brief the Press**

(U) Over the late summer and into the fall of 2016, as Steele was sharing his findings with the FBI, DOJ, and Department of State, Glenn Simpson was briefing members of the press corps on Steele’s research, sometimes with Steele present. Marc Elias, Simpson’s client for the work, represented to the Committee through counsel that he had not authorized Fusion GPS to share research in the dossier with journalists.<sup>6173</sup> The conversations with the press eventually

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<sup>6163</sup> (U) Kramer Tr., p. 27.

<sup>6164</sup> (U) Written Responses, Kramer, August 25, 2017.

<sup>6165</sup> (U) *Ibid.*

<sup>6166</sup> (U) *Ibid.*

<sup>6167</sup> (U) *Ibid.*

<sup>6168</sup> (U) *DOJ OIG FISA Report*, p. 178.

<sup>6169</sup> (U) *Ibid.*

<sup>6170</sup> (U) Kramer Tr., p. 4; Written Responses, Kramer, August 25, 2017.

<sup>6171</sup> (U) Written Responses, Kramer, August 25, 2017.

<sup>6172</sup> (U) *Ibid.*

<sup>6173</sup> (U) Attorney Proffer, Elias, May 21, 2018.

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culminated in a *Mother Jones* article on October 31 summarizing the allegations and in *BuzzFeed* publishing most of the contents of the dossier on January 11, 2017.

**a. (U) Initial Briefings for the Press**

(U) In early August, Simpson and Fritsch traveled to New York to meet with *New Yorker* editor David Remnick and features editor Daniel Zalewski. Later that day they gave the same briefing to two editors at *Reuters*.<sup>6174</sup> In September and October 2016, Simpson and Steele gave two off the record briefings to small groups of reporters from major media outlets at gatherings in Washington, D.C.<sup>6175</sup> Neither Simpson nor Steele would identify for the Committee which outlets.<sup>6176</sup> Steele and Simpson both stated that contacting the press was Simpson's initiative.<sup>6177</sup> Simpson told the Committee that he did not provide the actual memos to reporters, because "if you thought that this information might be genuine, you wouldn't be passing it to a bunch of different journalists, because people could get killed."<sup>6178</sup>

(U) According to Simpson, he and Steele intended to provide leads, not for news outlets to report on the dossier itself. Simpson's goal was for reporters to "do their own journalism" and "to ask the government whether the government's doing its job."<sup>6179</sup> According to Simpson:

*[T]he general reaction was: "You're not expecting me to write a story about this, are you? Because you've got this anonymous [person] telling me a bunch of wild stuff for which you have no documentation, and you're not willing to go on the record, and I don't even know who's paying."*<sup>6180</sup>

(U) Simpson continued the briefings, despite those reactions, because he wanted to "educate" the media and he "figured it was going to be a big issue later and that no one was going to say boo about this in the final weeks of a presidential election."<sup>6181</sup>

**b. (U) Renewed Press Briefings: *Mother Jones* and *The New York Times***

(U) FBI Director Comey's decision to publicly reopen the investigation into Hillary Clinton's emails affected Simpson's and Steele's calculus as well as their sense of urgency. On Friday, October 28, 2016, Director Comey sent a letter to Congress disclosing that the FBI had

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<sup>6174</sup> (U) *Crime in Progress*, pp. 98-99.

<sup>6175</sup> (U) Simpson Tr., pp. 126-127; Written Responses, Steele, August 16, 2018.

<sup>6176</sup> (U) Simpson Tr., pp. 126-127; Written Responses, Steele, August 16, 2018.

<sup>6177</sup> (U) Simpson Tr., p. 130; Written Responses, Steele, August 16, 2018.

<sup>6178</sup> (U) Simpson Tr., p. 139.

<sup>6179</sup> (U) *Ibid.*, p. 128.

<sup>6180</sup> (U) *Ibid.*, p. 131.

<sup>6181</sup> (U) *Ibid.*

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possibly found additional emails that “appear to be pertinent” to the Clinton email investigation.<sup>6182</sup> The following Monday, October 31, David Corn published an article in *Mother Jones* entitled “A Veteran Spy has Given the FBI Information Alleging a Russian Operation to Cultivate Donald Trump.”<sup>6183</sup> As described above, Steele told [REDACTED] that he had gone to *Mother Jones* because he was upset about Director Comey’s October 28 letter and about the FBI’s reopening of the Clinton investigation.<sup>6184</sup>

(U) Winer told the Committee that he thought Steele “got increasingly personally concerned about the Russia relationship” because Steele “believed what was in [the dossier].”<sup>6185</sup> According to Winer, “In October [Steele] got to the point where he wanted people to know about it.”<sup>6186</sup> Simpson told the Committee that “I’m sure more than half of America will never believe this, but it really wasn’t a thing where we were trying to use this information to win the election, because we thought—we already thought we were going to win the election.”<sup>6187</sup> However, according to Bruce Ohr, it was Simpson who asked Steele to speak with a reporter from *Mother Jones*.<sup>6188</sup> Ohr understood that having Steele speak with the reporter was Simpson’s “Hail Mary attempt” to stop Trump from being elected.<sup>6189</sup> Simpson and Fritsch said in their book that they briefed additional reporters in mid-December.<sup>6190</sup>

**c. (U) BuzzFeed Publishes the Dossier on January 10, 2017**

(U) On Tuesday, January 10, 2017, Ken Bensinger published an article in *BuzzFeed* entitled “These Reports Allege Trump Has Deep Ties to Russia,” which included a link to images of most of Steele’s memos.<sup>6191</sup>

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<sup>6182</sup> (U) Letter, Comey to Chairmen and Ranking Members, October 28, 2016 (“Due to recent developments, I am writing to supplement my previous testimony. In connection with an unrelated case, the FBI has learned of the existence of emails that appear to be pertinent to the investigation. I am writing to inform you that the investigative team briefed me on this yesterday, and I agreed that the FBI should take appropriate investigative steps designed to allow investigators to review these emails.”).

<sup>6183</sup> (U) David Corn, “A Veteran Spy Has Given the FBI Information Alleging a Russian Operation to Cultivate Donald Trump,” *Mother Jones*, October 31, 2016.

<sup>6184</sup> (U) [REDACTED] Tr., pp. 82–83.

<sup>6185</sup> (U) Winer Tr., p. 69.

<sup>6186</sup> (U) *Ibid.*, p. 69.

<sup>6187</sup> (U) Simpson Tr., pp. p. 129.

<sup>6188</sup> (U) *DOJ OIG FISA Report*, p. 287.

<sup>6189</sup> (U) *Ibid.*

<sup>6190</sup> (U) *Crime in Progress*, p. 139-141.

<sup>6191</sup> (U) Ken Bensinger, et al., “These Reports Allege Trump Has Deep Ties to Russia,” *BuzzFeed News*, January 10, 2017.

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(U) Kramer described Steele's reaction to the *BuzzFeed* article as "shocked," and told the Committee that Steele "knew he was probably going to have to go into hiding."<sup>6192</sup> Winer similarly characterized Steele as "beside himself" and very concerned for his sources.<sup>6193</sup> As noted above, Steele asked Winer to return or destroy any copies of the dossier material that Winer had in his possession; Winer said he destroyed the material and all correspondence he had with Steele on Winer's personal device, as he did with all Department of State communications on that device when he left the Department.<sup>6194</sup>

**d. (U) *The Wall Street Journal* Publishes Steele's Identity**

(U) On January 11, 2017, the day after the *BuzzFeed* article, Kramer contacted *The Wall Street Journal*, because he had "received a tip from a friend at the *Journal*" that the paper was planning to publish Steele's name.<sup>6195</sup> Kramer told the Committee that he spoke with two editors in an attempt to prevent them from publishing Steele's name, and "tried to stress that putting his name out there would put him in grave danger, but they didn't seem to care."<sup>6196</sup> Later that day, *The Wall Street Journal* published an article entitled, "Christopher Steele, Ex-British Intelligence Officer, Said to Have Prepared Dossier on Trump."<sup>6197</sup> The article identified Steele as "the author of the dossier of unverified allegations about President-elect Donald Trump," a "director of London-based Orbis Business Intelligence Ltd." and "a former British Intelligence officer."<sup>6198</sup>

**v. [REDACTED] A Summary of the Dossier is Attached as an Annex to the Compartmented Version of the Intelligence Community Assessment**

(U) In late December 2016, when the IC wrote a comprehensive assessment on "Russian Activities and Intentions in Recent US Elections," FBI insisted that the authors include a summary of the dossier. FBI leaders believed the information was responsive to the President's tasking, even though FBI had officially broken ties with Steele and had corroborated very little of the information. The IC did not use the dossier to reach the conclusions in the assessment.

[REDACTED]

<sup>6192</sup> (U) Kramer Tr., p. 30.

<sup>6193</sup> (U) Winer Tr., p. 61.

<sup>6194</sup> (U) *Ibid.*, p. 62.-63

<sup>6195</sup> (U) Kramer Tr., p. 30.

<sup>6196</sup> (U) *Ibid.*

<sup>6197</sup> (U) Bradley Hope, et al., "Christopher Steele, Ex-British Intelligence Officer, Said to Have Prepared dossier on Trump," *The Wall Street Journal*, January 11, 2017.

<sup>6198</sup> (U) *Ibid.*

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] As previously mentioned, the dossier material was not used in the ICA and did not contribute to its findings.

[REDACTED]

**vi. (U) Dan Jones**

(U) Dan Jones, a former FBI analyst and former SSCI staffer, worked with Steele and Fusion GPS in 2017.<sup>6200</sup> Jones, as head of the Penn Quarter Group, and then as head of The Democracy Integrity Project (TDIP), appears to have contacted Steele in 2017 regarding Russian interference in the 2016 election.<sup>6201</sup> As of March 26, 2018, Steele appeared to be a contractor for Jones's TDIP projects.<sup>6202</sup>

- (U) Jones said that he was first introduced to Steele in 2017, after Orbis began contracting for TDIP, but declined to answer any questions about how that introduction

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<sup>6199</sup> (U) For an in-depth discussion of the negotiation over and creation of the annex, *see infra* Vol. 4.

<sup>6200</sup> (U) HPSCI, *Report on Russian Active Measures*, March 22, 2018, pg. 113. fn. 5. Due to Jones's prior relationship with some Committee staff conducting the investigation on behalf of the Chairman and Vice Chairman, a limited subset of Committee staff who had no prior relationship with Jones conducted Jones's interview, to avoid any conflicts of interest.

<sup>6201</sup> (U) *Ibid.*

<sup>6202</sup> (U) Jones Tr., p. 17–20.

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took place,<sup>6203</sup> whether he knew of any of Steele’s subsources,<sup>6204</sup> whether he had spoken with the FBI about Steele,<sup>6205</sup> or whether he had ever given the FBI a thumb drive of the research he himself had conducted.<sup>6206</sup> Simpson refused to answer any questions about any contractual work with Jones.<sup>6207</sup>

- (U) Jones told the Committee that he “wasn’t aware of any work that Steele did outside of what was publicly known at the time in 2016” and that he had “no special access or information on Steele’s activities” prior to 2017.<sup>6208</sup>
- (U) Jones told the Committee he had met Winer once, in January 2017, to discuss a project unrelated to Jones’s work, and that they had been introduced by Steele, who Jones referred to as a “professional associate.”<sup>6209</sup>

[REDACTED] During an FBI interview on March 28, 2017, Jones said his Penn Quarter Group had contracted with Steele, Burrows, and Fusion GPS to expose Russian interference in the 2016 U.S. presidential election.<sup>6210</sup> Jones further indicated to the FBI that “he had possible access to a witness that could share direct knowledge of information in support of Chris Steele’s published Trump/Russia manifesto.”<sup>6211</sup> Jones did not share this fact with the Committee during his interview, and the Committee has no further information on who the “witness” might be.

(U) Jones indicated that, separate from Steele’s work for him on TDIP matters, he attempted to serve as an intermediary between the Committee and Steele in response to the Committee’s attempts to interview Steele.<sup>6212</sup> Winer was also under the impression that Jones was communicating to the Committee on Steele’s behalf.<sup>6213</sup> To further those liaison efforts, Steele introduced Jones to Waldman in March of 2017; Jones recounted his and Waldman’s conversation: “[Waldman] spoke with me about his relationship with Vice Chairman Warner at great length.” Jones added, “Waldman told me he was going to

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<sup>6203</sup> (U) *Ibid.*, p. 17–20. Jones declined to respond to these questions, among others, on advice of his counsel, who asserted that Jones would not be answering questions that would jeopardize the “confidentiality” of TDIP’s work. *See, e.g., ibid.*, pp. 21–22.

<sup>6204</sup> (U) *Ibid.*, p. 17–20.

<sup>6205</sup> (U) *Ibid.*, p. 22.

<sup>6206</sup> (U) *Ibid.*, p. 24.

<sup>6207</sup> (U) Simpson Tr., pp. pp. 183–184. Simpson’s attorneys stated: “[I]nsofar as Mr. Jones and any entity affiliated with Jones and Fusion GPS have a contractual relationship, it’s a confidential client matter and he’s going to decline to answer questions.”

<sup>6208</sup> (U) Jones Tr., p. 23.

<sup>6209</sup> (U) *Ibid.*, pp. 17–20.

<sup>6210</sup> [REDACTED] Jones refused to discuss this contract with the Committee.

<sup>6211</sup> (U) *Ibid.*

<sup>6212</sup> (U) Jones Tr., pp. 26–32.

<sup>6213</sup> (U) Winer Tr., p. 70.

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a hockey game in Washington, D.C., that night with the Vice Chairman; and he would mention to the Vice Chairman [arranging] a meeting between the Committee and Steele or providing information from Steele to the Committee.”<sup>6214</sup>

(U) Following the meeting, Jones “did not think it wise to continue the relationship” with Waldman. He implied, but did not state outright, that he was concerned about Waldman’s link to Deripaska, and he also said that he thought Waldman lacked credibility and was unsure if Waldman actually represented Steele.<sup>6215</sup>

(U) Jones declined to discuss with the Committee any other instances during which he may have negotiated or been authorized to negotiate on Steele’s behalf.<sup>6216</sup> Steele’s counsel made very clear to the Committee that only Steele’s counsel was authorized to enter into any agreements with the Committee on Steele’s behalf.<sup>6217</sup>

(U) The exceedingly limited amount of useful information Jones provided during his interview about TDIP’s structure, operations, and funding renders the Committee’s complete and accurate portrayal of the organization and its work an impossibility.<sup>6218</sup> However, an abundance of detail concerning the inner workings of TDIP appears to have been furnished in support of Simpson and Fritsch’s *Crime in Progress*.<sup>6219</sup>

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<sup>6214</sup> (U) Jones Tr., pp. 45–48

<sup>6215</sup> (U) *Ibid.*, pp. 47–49, 54–57.

<sup>6216</sup> (U) *Ibid.*, pp. 26–32.

<sup>6217</sup> (U) Email, [Steele’s counsel] to SSCI, October 13, 2017.

<sup>6218</sup> (U) Jones shared some limited information about the makeup of TDIP’s board, its mission, and the general characteristics of its donors. Jones identified himself, Adam Kaufman, and Michael Belasio as TDIP’s board members, described TDIP’s mission as being “to investigate foreign interference in elections around the world,” and characterized TDIP as a nonprofit organization funded by nonpartisan donors. Jones Tr., pp. 8–11.

<sup>6219</sup> (U) *Crime in Progress*.

**V. (U) RECOMMENDATIONS**

(U) The Committee's inquiry highlighted several ways in which hostile actors were able to capitalize on gaps in laws or norms and exert influence. Those areas included unclear laws regarding foreign advocacy, flawed assumptions about what intelligence activity looks like, and a campaign's status as a private entity intertwined with the structures of democracy. Further, the freedom of expression at the root of our democratic society became an opportunity for Russian influence to hide in plain sight.

(U) The Committee's recommendations, outlined below, present a variety of paths through which Congress, the executive branch, and private entities and individuals can and should begin to respond to these threats, both jointly and independently. These recommendations, however, do not mark the end of the Committee's work in this space, which requires ongoing vigilance by the United States government and further consideration of legislative and policy responses. To that end, the Committee will continue to evaluate and consider the results of this investigation as part of its ongoing oversight and legislative responsibilities and its efforts to understand and address malign foreign interference targeting U.S. democratic processes.

**1. (U) Review, Update, and Enforce the Foreign Agents Registration Act and Related Statutes**

(U) The Committee recommends that Congress update the Foreign Agents Registration Act (FARA), and that the Department of Justice (DOJ) clarify the statute's requirements by issuing public guidance on enforcement and more stringently enforcing the existing statute. FARA was enacted over 80 years ago, in large part to target Nazi propaganda. FARA seeks to aid the U.S. Government and the American people in understanding and evaluating the activities, statements, and motives of individuals and entities functioning as agents of foreign principals in the United States. Since that time, Congress has made some modifications to the statute to increase transparency with respect to lawyers and lobbyists who also engage in political activity on behalf of foreign powers inside the United States. However, loopholes still exist, and foreign actors exploited those loopholes in 2016. The Committee's investigation revealed a number of lawyers, public relations experts, businesses, political consultants, and campaign operatives working in the United States in coordination with, or at the request of, foreign principals. Many of these individuals and businesses did not register under FARA.

- (U) DOJ should increase enforcement of FARA. For years, DOJ failed to pursue criminal penalties for even the most flagrant violations of the statute. While recent enforcement efforts have resulted in several successful criminal prosecutions, the Committee found numerous incidents where FARA registrations were excessively delayed, retroactive, incomplete, inaccurate, or otherwise insufficient to accomplish the objectives of the law.

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- (U) DOJ should publish comprehensive public guidance on FARA. In part as a result of limited enforcement, the public has insufficient information about the statute's scope and application. DOJ's interpretation of the statute is largely untested and undefined. While DOJ has made efforts to publish more information about its interpretation of the statute, including through the publication of advisory opinions, these are overly redacted and incomplete. Comprehensive public guidance has been beneficial for other similarly-situated statutes, and those publications, such as DOJ's *Resource Guide to the U.S. Foreign Corrupt Practices Act*, may serve as a helpful model in issuing useful and practical guidance on FARA.
- (U) Congress should update FARA to more clearly define the activities covered by the statute. This may include narrowing or redefining the breadth of some provisions, such as those that may apply to purely foreign consulting, while strengthening other provisions, such as activities targeting the U.S. Government or the American people.
- (U) Congress should remove the Lobbying Disclosure Act (LDA) exemption to FARA registration. Currently, FARA registrants for foreign principals who are not themselves foreign governments or political parties may register under the LDA regime rather than the more comprehensive registration regime under FARA. The Committee found that individuals not formally affiliated with a foreign government may nonetheless sufficiently represent that government's interest, even if that government is not the principal beneficiary, to merit the application of FARA's heightened requirements.

(U) Congress should also examine whether other foreign agent laws and the Espionage Act need to be updated to more effectively address the reality of modern intelligence operations targeting the United States.

- (U) For example, 18 U.S.C. § 951 makes it a crime to operate as an agent of a foreign government, to include an agent with respect to non-political activity, without first notifying the Attorney General. While DOJ has generally reserved prosecutions under this statute for behavior that resembles espionage, the statute's overlap with FARA and its general scope may need refined and updated. 18 U.S.C. § 219 provides criminal penalties for a public official of the United States to be or act as an agent of a foreign principal required to register under FARA. Together, these and other interrelated law make up a patchwork of overlapping and ill-defined prohibitions that are overdue for a more thorough review.

(U) Although DOJ makes FARA registration filings publicly available on its website, there is no obligation on registrants to disclose this information when they are engaged in covered political activities. As a result, the registration materials do little to further the statute's goal of transparency for the American public. This lack of transparency is especially acute in the

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media space, where messaging by a single FARA registrant has the potential to reach millions of Americans.

- (U) Congress should amend FARA to mandate, or the Federal Communications Commission (FCC) and other relevant authorities should impose a requirement, that FARA-registered news agencies operating in the United States provide clear, prominent, and regular notifications to audiences regarding the outlet's FARA-registered status. Transparency should be affirmatively provided to audiences on a regular basis so that the American public is able to make informed decisions about information consumption.
- (U) In addition, all U.S. media outlets should clearly label or otherwise identify content that appears in connection with FARA-registered work, even if it comes in the form of an opinion column. It is the ultimate responsibility of the editorial staff at U.S. media outlets to understand the origins of the information that their journalists and outside contributors are promoting, and to inform their audiences when that information is in some way sponsored or influenced by a foreign agent.
- (U) More broadly, all U.S. media outlets should clearly label opinion content as such, in particular when opinion content, in tone or in format, could be mistaken for journalistic reporting.

**2. (U) Recognize Russia's Use of Non-Traditional Intelligence Actors for Influence**

(U) The Russian government treats oligarchs, organized crime, and associated businesses as tools of the state, rather than independent, private entities. The Kremlin uses these entities to pursue Kremlin priorities, including money laundering, sanctions evasion, and influence operations. This is a fundamentally different model than in the United States.

- (U) While U.S. companies can and should conduct business as they see fit within the bounds of the law, they should proceed with maximum caution when doing business in Russia. Business exchanges can be a vehicle for compromise of electronic devices, collection of compromising information for influence efforts, theft of proprietary business information, and recruitment by intelligence services. Such efforts can be overt or covert, and can target national security information and hamper the competitiveness of U.S. companies. American business leaders need to understand that they, too, are a target and take precautions.
- (U) Politically-active U.S. organizations, including non-profits and advocacy groups, should likewise recognize that they can also be, and likely are, targeted by foreign intelligence services. Although the known targeting in 2016 was directed toward conservative organizations, organizations of all political and ideological stripes should be prepared for it. Hostile foreign governments may seek to influence U.S. policy in foreign

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affairs, energy and environmental policy, military conflict, and others matters involving international relations, through indirect channels like these. Leadership in such organizations should consider conducting due diligence, as appropriate, when dealing with counterparts from adversarial countries, and adopting sound cyber security practices to protect their networks and sensitive information.

- [REDACTED] Just as business leaders need to recognize their counterparts may be extensions of the Russian state, the U.S. Government should similarly treat non-governmental entities close to the Kremlin as legitimate targets for intelligence collection and surveillance. The U.S. Government needs the tools and authorities in place to determine whether a non-governmental entity is operating on behalf of the Russian state and mitigate the counterintelligence threat, particularly if that entity seeks to operate in the United States or allied countries. These tools and authorities should augment the entire spectrum of U.S. Government activities, including to the ability to deny visas, the ability to conduct surveillance akin to that used against suspected intelligence officers, and the ability to target financial operations, such as the ability to deny transactions or seize assets.

**3. (U) Protect Campaigns from Foreign Influence Efforts**

(U) As part of its counterintelligence mission, FBI should offer defensive briefings to all presidential campaigns, including during the primaries, for both candidates and staff. FBI should provide detailed briefings as specific issues arise. When nominees are official, FBI should undertake a renewed effort to educate campaigns—from leadership to schedulers—about the avenues of influence adversaries use. These briefings should include specific, if hypothetical, examples and clear defensive steps campaigns can take. FBI has traditionally delivered these briefings as brief conversations; given the aggressive efforts Russia undertook in 2016 and the likelihood of similar future efforts by Russia and others, these conversations should cover cybersecurity best practices and how to recognize approaches that are outside ordinary relationship building.

(U) Future presidential campaigns should perform thorough vetting of staff, particularly those staff who have responsibilities that entail interacting with foreign governments. Diligence, experience, and caution are all the more critical when interacting with representatives of adversaries' governments.

(U) Campaigns should recognize that campaign staff are attractive targets for foreign intelligence services, and that staff who have not previously been sensitized to counterintelligence threats are especially vulnerable to targeting and exploitation. Presidential campaigns should require staff who interact with foreign governments to receive counterintelligence training from the FBI. Further, that staff should report to designated campaign leadership any foreign contacts, including any offers of foreign assistance, so that the

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campaign can recognize patterns in foreign outreach. Campaigns should institute a centralized reporting structure to ensure that suspicious contacts with foreign governments or their proxies are documented and can be shared with law enforcement when appropriate, in a timely and accurate manner. This information would assist U.S. counterintelligence efforts to more quickly identify patterns and a clearer picture of nation-level threats. FBI and law enforcement should treat the information passed by campaigns as extremely sensitive, and protect the information from inadvertent disclosure, such as by limiting the number of personnel with access. In addition, a full understanding of the problem will encourage law enforcement agencies to pass defensive information back to campaigns.

(U) To facilitate these activities, campaigns should designate specific individuals to be responsible for counterintelligence and for cybersecurity issues. These individuals should be clearly identified within the campaign as a point of contact for security-related questions or concerns, but will also serve as an accountable entry point for the FBI's interaction and information sharing with the campaign.

(U) Campaigns should notify FBI of all foreign offers of assistance, and all staff should be made aware of this expectation. In order to not encourage, or amplify, foreign influence efforts, campaigns should reject the use of foreign origin material, especially if it has potentially been obtained through the violation of U.S. law.

(U) The Russian Government has sought to understand, and potentially exploit, vulnerabilities in the U.S. campaign finance system in furtherance of Russia's election influence activities. Russia's interest in this tactic is longstanding. The Committee is not aware of specific successful efforts in this regard related to the 2016 U.S. election, however the Committee's insight is limited, and in other countries Russia has gone to great lengths to launder money intended for election influence. The DOJ, the Intelligence Community, regulators and legislators should work together to identify and address any loopholes that could be abused, by Russia or any other foreign actor, in malign influence operations targeting U.S. elections.

**4. Protect Government Employees from Foreign Influence Efforts**

(U) Congressional leadership should work with the IC and federal law enforcement to assess the counterintelligence and foreign influence risk associated with foreign government-funded travel by congressional staff, in particular the Mutual Educational and Cultural Exchange Act. Congress does not allow registered lobbyists to pay for the travel or the meals of congressional staff due to concerns about undue influence. This same logic should apply to foreign governments. Congressional leadership should explore increasing the budget for staff travel, so that it is funded and managed by Congress and not by foreign governments.

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(U) In addition to enhanced cybersecurity training for all U.S. Government personnel, all federal government employees who travel internationally, regardless of agency or department, should be required to receive counterintelligence training.

**5. (U) Bolster Resources for IC Elements to Uncover Influence Campaigns and Focus the NIPF on Foreign Government Influence**

[REDACTED]

[REDACTED] These terms are vague and vast, and do not acknowledge the growing threat of disruption by foreign actors conducting malign influence activities targeting the United States.

- (U) The Committee recommends, therefore, that all future iterations of the NIPF, which is an exercise and tool used to distribute finite IC resources across a wide variety of threats, specify and prioritize foreign malign influence activities.

[REDACTED]

(U) FBI should empower its analysts to check assumptions underpinning FBI operations, to apply the rigor of intelligence analysis to assessments and confidential human sources, and to create a culture where questioning previously held assumptions is acceptable and encouraged.

**6. (U) Improve Victim Notification and Information Sharing**

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(U) While the Committee understands FBI’s reluctance to force solutions on hacked victims, FBI should develop a clear policy to address how to escalate victim notifications within a hacked entity, particularly for those involved in an election, when it appears that entity has not successfully remediated a cyber breach.

(U) In addition, the FBI’s Cyber Division should have an escalation policy for how to engage a victim entity when the victim is not responsive to the FBI’s investigative needs. The policy should include how to communicate with the victim entity about escalation, and, in narrow situations where the security of the election is at risk, the potential use of compulsory process. Channels of communication, both within the FBI and with political organizations, should be established early in a campaign cycle.

(U) The FBI should seek to downgrade and share classified information for defense against cyber intrusions whenever possible. If downgrading the information is not feasible, the FBI should work to find a cleared individual at the victim entity and brief that individual at the highest possible level about the incident, prior to or contemporaneous with engaging with the entity’s IT staff.

(U) The FBI should develop clear best practices for dealing with cybersecurity vendors in incident response. Congress should consider legislation that mandates third-party cybersecurity vendors to report indicators of nation-state compromise to the U.S. Government, be it through FBI or other entities, which may include sharing malware, network traffic, forensic images, and other appropriate data to enable the U.S. Government to protect against nation-state cyber adversaries. Any sharing mandate should also include suitable protections for personally identifiable information or other sensitive or privileged material.

**7. (U) Strengthen Congressional Authority to Challenge Executive Privilege**

(U) Congress should consider amending the Senate’s subpoena enforcement statute to remove or otherwise limit the carve out in 28 U.S.C. § 1365(a) that precludes enforcement against government officials asserting a “governmental privilege or objection.” This exception, the Committee’s investigation showed, allows for the potential abuse of executive privilege claims. Such an amendment should include a process to expedite judicial review of disputes between Congress and the executive branch over subpoena compliance, and clarify that a government official’s mere assertion of a government privilege does not strip a federal court of jurisdiction.

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**VI. (U) ANNEX A**

**[THIS ANNEX IS REDACTED IN ITS ENTIRETY]**

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**VII. (U) ANNEX B**

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**VIII. (U) ANNEX C**

**[THIS ANNEX IS REDACTED IN ITS ENTIRETY]**

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## ADDITIONAL VIEWS OF SENATORS RISCH, RUBIO, BLUNT, COTTON, CORNYN, AND SASSE

(U) Volume 5 of the report on Russian Active Measures Campaigns and Interference is the last body of work relating to the Committee's investigation into Russian meddling in the 2016 U.S. presidential election. This final volume brings an end to more than three years of investigative work. Bipartisan professional staff reviewed more than one million documents and interviewed more than 200 witnesses to produce over 1,000 pages of analysis. Volume 5 exhaustively reviews the counterintelligence threats and vulnerabilities to the 2016 election, but never explicitly states the critical fact: *the Committee found no evidence that then-candidate Donald Trump or his campaign colluded with the Russian government in its efforts to meddle in the election.*

(U) The Trump campaign publicly and repeatedly promoted a policy of improving relations with Moscow which, in some ways, was a view not much different than the effort by the Obama administration to "reset" relations between the two countries. Such a policy does not itself constitute collusion or a counterintelligence threat. Volume 5 includes sections that address foreign policy actions taken by the Trump transition team in line with this policy, not because the Committee found any evidence that these foreign policy actions were the result of collaboration with the Russian Government, but to show that after an exhaustive investigation allegations of cooperation can be put to rest. Decisions taken were the result of a foreign policy viewpoint, not illicit Russian influence. We feel Volume 5 should have explicitly stated this.

(U) More than three and a half years later, the Trump administration's record on Russia shows a consistent attempt to cooperate with Russia where possible, while responding firmly to Russia's nefarious activity worldwide. For instance, under the leadership of President Trump, the administration effectuated the largest expulsion of Russian spies in U.S. history after Russian operatives poisoned Sergei Skripal in London, provided Javelin anti-tank missiles to Ukraine to deter Russian aggression, and led the U.S. withdrawal from the Open Skies Treaty and Intermediate-Range Nuclear Forces (INF) Treaty—international agreements that the Russians have been violating for years and wish to preserve.

(U) While this Volume did not find evidence of collusion between President Trump and the Russians, it does detail a stunning accounting of the FBI's sloppy work and poor judgment. In 2016, the Democratic Party, using a series of arm's length transactions, hired a foreign citizen to seek out dirt on a political opponent, provided by foreign sources. This Volume confirms that Christopher Steele used information gained from sources in Russia—some with direct ties to the Russian Government. That unverified, uncorroborated, foreign information was then actively circulated with the press to disparage a U.S. political candidate.

(U) Meanwhile, the FBI should have followed the advice of other intelligence agencies to view Steele's reports skeptically, and the Bureau should have verified the methodology and the information before using it. Instead, the Bureau used the material in FISA applications and insisted on its inclusion in the Intelligence Community Assessment. Other IC agencies wanted to exclude the Dossier from the ICA because they had not verified its sources or its data. All

Americans should be deeply troubled that the FBI was willing to accept and use Steele's information without verifying its sourcing or methodology.

(U) Volume 5 is an important contribution to the historical record from which historians will someday draw. As is evident to those who read all five volumes of the Committee's report, the Russian government inappropriately meddled in our 2016 general election in many ways but then-Candidate Trump was not complicit. **After more than three years of investigation by this Committee, we can now say with no doubt, there was no collusion.**

**ADDITIONAL VIEWS OF SENATORS HEINRICH, FEINSTEIN,  
WYDEN, HARRIS, AND BENNET.**

(U) Almost four years after the 2016 U.S. presidential election, the Committee has now published the bipartisan results of its investigation of the Russian government's election interference and efforts to aid Donald Trump's candidacy. The Committee's work product is voluminous, fact-oriented, and essential reading for all Americans. But the Committee has not sought to draw overarching conclusions about its investigation, opting instead to let the reader determine the significance of these events. These additional views provide necessary context for the reader regarding (1) the Trump Campaign's cooperation with Russia; (2) investigative limitations; and (3) significant ongoing concerns.

**(U) The Trump Campaign's Cooperation with Russia**

(U) The Committee's bipartisan Report unambiguously shows that members of the Trump Campaign cooperated with Russian efforts to get Trump elected. It recounts efforts by Trump and his team to obtain dirt on their opponent from operatives acting on behalf of the Russian government. It reveals the extraordinary lengths by which Trump and his associates actively sought to enable the Russian interference operation by amplifying its electoral impact and rewarding its perpetrators – even after being warned of its Russian origins. And it presents, for the first time, concerning evidence that the head of the Trump Campaign was directly connected to the Russian meddling through his communications with an individual found to be a Russian intelligence officer.

(U) These are stubborn facts that cannot be ignored. They build on the Committee's bipartisan findings in Volume 2 and Volume 4 that show an extensive Kremlin-directed effort to covertly help candidate Trump in 2016, and they speak to a willingness by a major party candidate and his associates, in the face of a foreign adversary's assault on the political integrity of the United States, to welcome that foreign threat in exchange for advancing their own self-interest.

(U) The Committee's bipartisan Report found that Paul Manafort, *while he was Chairman of the Trump Campaign*, was secretly communicating with a Russian intelligence officer with whom he discussed Campaign strategy and repeatedly shared internal Campaign polling data. This took place *while the Russian intelligence operation to assist Trump was ongoing*. Further, Manafort took steps to hide these communications and repeatedly lied to federal investigators, and his deputy on the Campaign destroyed evidence of communications with the Russian intelligence officer. The Committee obtained some information suggesting that the Russian intelligence officer, with whom Manafort had a longstanding relationship, may have been connected to the GRU's hack-and-leak operation targeting the 2016 U.S. election. This is what collusion looks like.

(U) The Committee's bipartisan Report found that a member of the Trump Campaign's foreign policy advisory team was *provided with advance notice of the Russian plot* to anonymously release hacked emails that would damage Trump's opponent, and the Report found

that it is implausible that this information was not passed to the Campaign. The advance notice of a forthcoming covert Russian intervention on Trump's behalf came from an individual linked to the Russian government, and took place in April 2016, prior to any public awareness of the Russian meddling effort. No authorities were notified.

(U) The Committee's bipartisan Report found that Russia's goal in its unprecedented hack-and-lead operation against the United States in 2016, among other motives, was to assist the Trump Campaign. Candidate Trump and his Campaign responded to that threat by embracing, encouraging, and exploiting the Russian effort. Trump solicited inside information in advance of WikiLeaks's expected releases of stolen information, even after public reports widely attributed the activity to Russia, so as to maximize his electoral benefit. The Campaign crafted a strategy around these anticipated releases to amplify the dissemination and promotion of the stolen documents. *Even after the U.S. government formally announced the hack-and-lead campaign as a Russian government effort*, Trump's embrace of the stolen documents and his efforts to minimize the attribution to Russia only continued. The Committee's Report clearly shows that Trump and his Campaign were not mere bystanders in this attack – they were active participants. They *coordinated* their activities with the releases of the hacked Russian data, *magnified* the effects of a known Russian campaign, and *welcomed* the mutual benefit from the Russian activity.

(U) Additionally, the Committee's bipartisan Report shows that, at the June 9, 2016 meeting in Trump Tower, senior members of the Campaign sought, explicitly, to receive derogatory information for electoral benefit from a Russian lawyer known to have ties to the Russian government, with the understanding that the information was part of "Russia and its government's support for Mr. Trump." Prior to and during that meeting, members of the Trump Campaign's leadership clearly stated their desire to receive the promised derogatory Russian information, and ultimately they also clearly expressed their displeasure that the Russian information that was presented was not sufficiently damaging. That the Campaign leadership's desire to coordinate with Russia failed in this particular instance is hardly exculpatory; instead, it is emblematic of the leadership's mindset, intent and willingness to work with Russia in hopes of influencing the U.S. election to their benefit. The Committee's investigation found that the Russian lawyer that the Campaign leadership met with in Trump Tower, and one of her colleagues who also participated in the meeting, both have significant and concerning ties to Russian intelligence.

(U) Trump's Russia-friendly statements and policies during the Campaign did not occur in isolation. The Committee's bipartisan Report shows that, *during the campaign*, Donald Trump and the Trump Organization were pursuing a business deal in Russia. This is a topic about which the Campaign and its associates misled the public and Congress. The Committee's Report shows that Trump's outreach to the Kremlin began early and that during the Republican primary campaign, around the time that Trump authorized pursuit of the Russia deal, Trump asked for an in-person meeting with Putin. That request was relayed to the Kremlin. The Committee's Report shows that, during the campaign, Trump was kept up-to-date on the progress of the Russia deal and made positive public comments about Putin, in connection with the campaign, while deal negotiations were ongoing. During the campaign individuals working

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for or with the Trump Organization were in contact with the Kremlin regarding the deal and sought to leverage Trump's positive comments about Putin to advance the deal. A U.S. intelligence assessment indicates that Putin, who ordered the Russian operation that assisted Trump in the 2016 election, had a preference for leaders whose business interests made them more likely to deal with Russia. This made Trump uniquely appealing in Moscow, and the Committee's investigation found that Kremlin-directed influence efforts worked to undermine Republican candidates who ran against Trump in the U.S. presidential primary.

(U) There may be some who attempt to minimize the seriousness of Trump's actions, or the actions of his associates, by arguing that these individuals were motivated simply by self-interest or self-promotion. This argument overlooks that when self-interest is intertwined with the goals of a malign Russian influence operation, and when self-interest promotes the known Russian effort while also being promoted by that same Russian effort, then self-interest and Russia's interest become one and the same. Moreover, this argument misunderstands the deep counterintelligence vulnerability that is created when those who seek positions of great power, or proximity to that power, are willing to trade away national security for personal gain. There is good reason that such individuals are Putin's preferred interlocutors, and there is good reason why the U.S. security clearance application asks extensively about vulnerabilities that could be used as leverage, including foreign financial interests.

(U) Candidate Trump's pursuit of private business in Russia during the campaign, and his Campaign Chairman Paul Manafort's deep financial ties to a Kremlin-aligned Russian oligarch during the campaign, are not the only sources of leverage to which Trump and his Campaign were vulnerable. The Committee's bipartisan Report shows that during the campaign Trump maintained personal correspondence with a Russian oligarch and his adult son on topics including the upcoming U.S. election. The Moscow-based oligarch and his son, who were involved in offering the Trump Campaign derogatory information related to the election and who gave Trump a sizable gift during the Campaign, maintain significant and concerning connections not only to Kremlin leadership but also to Russian organized crime. Trump had previously done business with the oligarch in Moscow. The Committee's Report also shows that prior to and during the campaign, Trump was informed of alleged compromising tapes of him in Moscow. These allegations are separate from Christopher Steele's reports, which were not used to support the Committee's work. The Committee found that the Russian intelligence services clearly engage in the collection of compromising information for leverage, and that there may be substance to some of the allegations regarding Trump, which leaves open an ongoing concern about Russian influence operations.

(U) Finally, the Committee's bipartisan Report shows that almost immediately following Election Day in 2016, the Trump transition responded to Russia's election interference not by supporting punitive action, but rather by holding a series of secretive meetings and communications with Russian representatives that served to undercut the outgoing administration's efforts to hold Russia accountable. The transition's openness to this private Russian outreach prior to taking office, so soon after Russia's interference on Trump's behalf, combined with Trump publicly questioning Russia's involvement, signaled that there was little

intention by the incoming administration to punish Russia for the assistance it had just provided in its unprecedented attack on American democracy.

**(U) Investigative Context**

(U) There is also important additional context that should be provided to the reader regarding what the Committee's Report is, and what it is not. The Committee's Report does not duplicate the Special Counsel's investigation. The Special Counsel's work was *criminal* in nature, not a *counterintelligence* investigation. Counterintelligence investigations address intelligence questions pertaining to national security threats, not merely statutorily prohibited crimes. That is why the Committee pursued its investigation from a counterintelligence perspective. And it is why the Special Counsel's inability to "establish" a criminal conspiracy between the Trump Campaign and Russia does not convey the breadth and complexity of the threat presented by their actions.

(U) In its Report, the Committee described the events of 2016 in as much relevant detail as it could. Even so, the Committee's power to investigate—which does not include search warrants or wiretaps—falls short of the FBI's. So too do its staffing, resources, and technical capabilities. The result is that the American people still do not, and may never, have all the facts necessary to determine the full extent of the cooperation between Russia and the Trump Campaign in 2016.

(U) In addition, the Committee did not cover all areas of concern. For example, the Committee's investigation, for a variety of reasons, did not seek, and was not able to review, records regarding Donald Trump's finances and the numerous areas where those financial interests appear to have overlapped with Russia. In turn, the reader should not interpret the Report's absence of information on this topic to indicate that nothing of interest was found. Rather, it should be acknowledged that this was a potentially meaningful area that the Committee did not probe.

(U) Nevertheless, the facts above, which are further examined in the Committee's bipartisan Report, clearly show that what did happen between Russia and the Trump Campaign in 2016 is far worse than has been publicly revealed thus far. Furthermore, in nearly 1,000 pages of text, we are not aware of a *single case* where the information that is redacted makes the conduct of Trump or his associates less concerning. To the contrary, across the Report's most critical sections, the redacted information makes the already alarming public findings even more granular, explicit, and concerning.

**(U) Significant Ongoing Concerns**

(U) The value of the Committee's investigation is not purely historical. The counterintelligence lessons contained in this report regarding what happened to the United States in 2016 should be an alarm bell for the nation, and for those preparing to defend the nation against current and evolving threats targeting the upcoming U.S. elections. Indeed, Russia is actively interfering again in the 2020 U.S. election to assist Donald Trump, and some of the

[REDACTED]

**COMMITTEE SENSITIVE**

President's associates are amplifying those efforts. It is vitally important that the country be ready.

[REDACTED]

- 1 [REDACTED]
- 2 [REDACTED]
- 3 [REDACTED]
- 4 [REDACTED]
- 5 [REDACTED]
- 6 [REDACTED]
- 7 [REDACTED]

[REDACTED]

**COMMITTEE SENSITIVE**

**COMMITTEE SENSITIVE**

(U) It is our conclusion, based on the facts detailed in the Committee's Report, that the Russian intelligence services' assault on the integrity of the 2016 U.S. electoral process and Trump and his associates' participation in and enabling of this Russian activity, represents one of the single most grave counterintelligence threats to American national security in the modern era.

**COMMITTEE SENSITIVE**

## ADDITIONAL VIEWS OF SENATOR WYDEN

(U) The fifth and final volume of the Committee's report includes a wealth of extremely troubling new revelations about the counterintelligence threat posed by Donald Trump and his campaign. Much of the new information in this report, however, remains needlessly classified. That is unfortunate, not only because the counterintelligence concerns that surround Donald Trump constitute an ongoing threat to national security, but because this report includes redacted information that is directly relevant to Russia's interference in the 2020 election.

(U) As the report details, the Committee was hindered in numerous ways by the subjects of its investigation. In other respects, however, the impediments to the investigation were self-inflicted. First, while the Committee investigated interactions between Donald Trump and particular Russians and identified deeply concerning financial links, it did not seek to answer key questions about Donald Trump's finances that relate directly to counterintelligence. In short, the Committee did not follow the money.

(U) Second, the Committee's arbitrary limits on staff access undermined members' ability to engage fully in the investigation. As a result, my support for the report as well as some of the directions the Committee did and did not take must be qualified.

### (U) Excessive redactions

(U) The report includes new revelations directly related to the Trump campaign's cooperation with Russian efforts to get Donald Trump elected. Yet significant information remains redacted. One example among many is the report's findings with regard to the relationship between Trump campaign manager Paul Manafort and Russian intelligence officer Konstantin Kilimnik.

(U) The report includes significant information demonstrating that Paul Manafort's support for Russia and pro-Russian factions in Ukraine was deeper than previously known. The report also details extremely troubling information about the extent and nature of Manafort's connection with Kilimnik and Manafort's passage of campaign polling data to Kilimnik. Most troubling of all are indications that Kilimnik, and Manafort himself, were connected to Russia's hack-and-leak operations.

(U) Unfortunately, significant aspects of this story remain hidden from the American public. Information related to Manafort's interactions with Kilimnik, particularly in April 2016, are the subject of extensive redactions. Evidence connecting Kilimnik to the GRU's hack-and-leak operations are likewise redacted, as are indications of Manafort's own connections to those operations. There are redactions to important new information with regard to Manafort's meeting in Madrid with a representative of Oleg Deripaska. The report also includes extensive information on Deripaska, a proxy for Russian intelligence and an associate of Manafort. Unfortunately, much of that information is redacted as well.

(U) The report is of urgent concern to the American people, in part due to its relevance to the 2020 election and Russia's ongoing influence activities. The public version of the report

details how Kilimnik disseminated propaganda claiming Ukrainian interference in the 2016 election, beginning even before that election and continuing into late 2019. [REDACTED]

[REDACTED] And the report includes information on the role of other Russian government proxies and personas in spreading false narratives about Ukrainian interference in the U.S. election. This propaganda, pushed by a Russian intelligence officer and other Russian proxies, was the basis on which Donald Trump sought to extort the current government of Ukraine into providing assistance to his reelection efforts and was at the center of Trump's impeachment and Senate trial. That is one of the reasons why the extensive redactions in this section of the report are so deeply problematic. Only when the American people are informed about the role of an adversary in concocting and disseminating disinformation can they make democratic choices free of foreign interference.

(U) As the Committee stressed in Volume 3 of its investigation, the public must be informed as soon as possible about ongoing foreign influence campaigns. The American people are not served by aggressive redactions to a narrative describing the continuity of Russian interference before and after the 2016 election. The American people also deserve better than a double standard in which information related to Russian interference in U.S. elections remains heavily redacted while information that might cast doubt on investigations into that interference is released wholesale.

#### **(U) Follow the money**

(U) From day one, I said that the Committee must follow the money – that is, scrutinize Donald Trump's extensive financial entanglements with foreign adversaries. Following the money is, after all, Counterintelligence 101. The way to compromise people is through money. Donald Trump, had he been an applicant for a national security position in the U.S. government, would never have obtained even the lowest level security clearance. What's more, no review of his suitability for a clearance would have ignored his finances. It is therefore derelict that the Committee, having set out to conduct an investigation of counterintelligence threats and vulnerabilities, would have failed to scrutinize so much information that would be relevant to any application for a security clearance. This must be the last time that the Committee gives short shrift to this issue.

(U) The Committee investigated specific counterintelligence threats and did uncover concerning new financial connections. The section on Donald Trump's pursuit of a Trump Tower Moscow, while he was publicly praising Vladimir Putin, is deeply troubling, particularly given the revelation that Putin was almost certainly aware of the deal by January 2016. The report also describes important new information about the Agalarovs, with whom Donald Trump had a long-standing financial relationship, noting that Aras Agalarov has significant ties to the Russian government, including to individuals involved in influence operations targeting the 2016 election. Unfortunately, this section also suffers from extensive redactions.

(U) These and other revelations in the report suffice to establish that Donald Trump poses a counterintelligence threat to the United States, no less because he is President of the United States and not a government employee with a low level security clearance. But the report falls far short of telling the full story. As has been extensively reported in the media, Donald Trump

has spent decades developing, maintaining, and relying on financial relationships with Russia. The details of these relationships would almost certainly lead investigators to specific counterintelligence concerns. But the sheer volume of Trump's financial entanglements with Russia also point toward the inescapable conclusion that Donald Trump has been, as Donald Jr. acknowledged publicly, financially dependent on Russia and that, in itself, is a counterintelligence threat.

(U) A thorough investigation into this threat would have required a review of Donald Trump's finances. In the House of Representatives, three committees issued subpoenas for financial records, including the House Permanent Select Committee on Intelligence which did so for the express purpose of conducting an investigation into foreign influence. In the *Mazars* case, the U.S. Supreme Court considered these subpoenas and upheld the principle that Congress may subpoena information, including the president's personal information, if it is related to and in furtherance of a legitimate task of the Congress. Given that the Committee has undertaken this counterintelligence investigation as a legitimate task of Congress and that counterintelligence investigations indisputably encompass financial entanglements, I regret that the Committee did not pursue the records sought by the House.

(U) By remanding the cases, the Supreme Court effectively delayed the House's access to these documents until after the 2020 election, thereby preventing Congress and the voting public from fully considering the counterintelligence threat posed by the incumbent. On a matter of such urgency, one that implicates the national security of the United States and the defense of its democracy, this delay is unacceptable. Congress must therefore pursue additional means to obtain and release financial information, including S. 20, the Presidential Tax Return Bill, which codifies the long-standing practice of presidents and presidential candidates releasing their finances to the public. Congress should also pass legislation that would reveal foreign influence efforts behind financial transactions, such as S.1978, the Corporate Transparency Act, which prevents the use of anonymous shell companies for illicit activities.

#### **(U) Concerns about access**

(U) As I have noted, publicly and privately since the beginning, the Committee's arbitrary limits on staff access to documents and witness interviews have impeded members' ability to fully engage in and help shape this investigation. Some limitations were at the behest of Executive Branch agencies, although the extent to which the Committee could have negotiated on behalf of broader staff access is unclear. Other limitations, including with regard to both classified and unclassified information, were imposed by the Committee itself.

(U) The Committee's actions run counter to the intent of the U.S. Senate and the Committee's previous practices. In 2004, the Senate amended the resolution establishing the Committee to require that each member have staff to serve as his or her "designated representative" on the Committee. This amendment has allowed individual members of the Committee to engage fully in the Committee's previous investigations. The exclusion of those designated representatives from this investigation represents both a departure from previous practice as well as an extremely unfortunate precedent. It is my fervent hope that the Committee will recognize that its investigations, as well as its oversight more generally, are strengthened

when each of its members is granted access to the staff resources required to fully and independently engage in those investigations.