



FEDERAL BUREAU OF INVESTIGATION
Electronic Communication

Title: [REDACTED] To open media leak investigation based on information provided by [REDACTED].

Date: 08/14/2017

CC: [REDACTED]

From: WASHINGTON FIELD

WF-[REDACTED]

Con: [REDACTED], [REDACTED]

Approved By: A/SSA [REDACTED]

Drafted By: [REDACTED]

Case ID #: [REDACTED] [REDACTED] ARCTIC HAZE

Synopsis: [REDACTED] To open media leak investigation based on information [REDACTED] ed by [REDACTED].

Reason: [REDACTED]

From: [REDACTED]

D [REDACTED] **fy On:** [REDACTED]

Full Investigation Initiated: 08/14/2017

Enclosure(s): Enclosed are the following items:

1. (U) Washington Post article dated 03April2017
2. (U) NYT article dated 22April2017
3. (U) Washington Post article dated 24May2017
4. (U) Wall Street Journal article dated 26May2017
5. (U// [REDACTED] LHM from DOJ/CES dated 01Aug2017
6. (U// [REDACTED] Opening LHM for DOJ

Details:

[REDACTED] According to a Letterhead Memorandum (LHM), dated 01 August 2017, from the U.S. Department of Justice (DOJ), National Security Division, Counterintelligence and Export Control Section (CES), [REDACTED]

[REDACTED]

[REDACTED]

Title: [REDACTED] To open media leak investigation based on information provided by [REDACTED].

Re: [REDACTED], 08/14/2017

[REDACTED], dated 23 June 2017, from [REDACTED], reported the unauthorized disclosure of classified information in eight articles published between April and June 2017. Subject matter experts determined the articles disclosed [REDACTED] information classified up to the [REDACTED] level.

[REDACTED] The captioned investigation is predicated on the following four articles referenced in [REDACTED]:

1. Ellen Nakashima, "New Details Emerge about 2014 Russian Hack of the State Department: It Was 'Hand to Hand Combat,'" *Washington Post* (3 April 2017)
2. Matt Apuzzo, Michael S. Schmidt, Adam Goldman, and Eric Lichtblau, "Comey Tried to Shield the F.B.I. from Politics. Then He Shaped an Election," *New York Times* (23 April 2017)
3. Karoun Demirjian and Devlin Barrett, "How a Dubious Russian Document Influence the FBI's Handling of the Clinton Probe," *Washington Post* (24 May 2017)
4. Holman W. Jenkins, Jr., "The Trump-Russia Story Starts Making Sense," *Wall Street Journal* (27 May 2017).

[REDACTED] Washington Field Office (WFO) is opening the captioned investigation based on recommendation from [REDACTED] and the above referenced 01 August 2017 LHM from DOJ/CES. Due to its classification, a placeholder for [REDACTED] will be serialized upon receipt from [REDACTED].

(U// [REDACTED] The WFO/[REDACTED] point of contact for this investigation is Special Agent [REDACTED], telephone number [REDACTED].

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The Washington Post

National Security

New details emerge about 2014 Russian hack of the State Department: It was 'hand to hand combat'

By [Ellen Nakashima](#) April 3

Over a 24-hour period, top U.S. cyber defenders engaged in a pitched battle with Russian hackers who had breached the unclassified State Department computer system and displayed an unprecedented level of aggression that experts warn is likely to be turned against the private sector.

Whenever National Security Agency hackers cut the attackers' link between their command and control server and the malware in the U.S. system, the Russians set up a new one, current and former U.S. officials said.

The new details about the November 2014 incident emerged recently in the wake of a senior NSA official's warning that the heightened aggression has security implications for firms and organizations unable to fight back.

"It was hand-to-hand combat," said NSA Deputy Director Richard Ledgett, who described the incident at a recent cyber forum, but did not name the nation behind it. The culprit was identified by other current and

former officials. Ledgett said the attackers' thrust-and-parry moves inside the network while defenders were trying to kick them out amounted to "a new level of interaction between a cyber attacker and a defender."

But Russia is not the only top-tier cyber power flexing its muscles in this way, said other current and former senior officials, speaking on condition of anonymity to discuss sensitive matters.

In recent years, China and to a lesser extent Iran have become more aggressive in their efforts to break into U.S. computer systems, giving fight to defenders from within the network and refusing to slink away when identified, the current and former officials said.

Ledgett, speaking at the Aspen Institute last month, placed the State Department incident in late 2015. But officials at the NSA, which defends the government's national security computer systems, clarified that it took place in 2014.

Fortunately, Ledgett said, the NSA, whose hackers penetrate foreign adversaries' systems to glean intelligence, was able to spy on the attackers' tools and tactics. "So we were able to see them teeing up new things to do," Ledgett said. "That's a really useful capability to have."

The State Department had to shut down its unclassified email system for a weekend, ostensibly for maintenance purposes. That was a "cover story," to avoid tipping off the Russians that the government was about to try to kick them out, said one former U.S. official.

The NSA defenders, aided by the FBI, prevailed over the intruders, who were working for a Russian spy agency. Private sector analysts have given the hacking group various names, including Cozy Bear, APT29 and The Dukes. That group also compromised unclassified systems at the White House and in Congress, current and former officials said.

The NSA was alerted to the compromises by a Western intelligence agency. The ally had managed to hack not only the Russians' computers, but also the surveillance cameras inside their workspace, according to the former officials. They monitored the hackers as they maneuvered inside the U.S. systems and as they walked in and out of the workspace, and were able to see faces, the officials said.

The Russians' heightened belligerence is aimed not just at collecting intelligence, but also confronting the United States, said one former senior administration official. "They're sending a message that we have capabilities and that you are not the only player in town," said the official.

The operation was also an attempt to probe U.S. capabilities, said a second former senior official. "If they can test you in an unclassified network, they can start to test you in a classified network," he said. "They want to see, is the U.S. government willing to escalate against us? It's all tactics and looking at responses — not just of an organization. It's what is the U.S. government willing to do?"

Ledgett said he is concerned that the private sector will not be able to defend itself without greater intelligence being shared from places like the NSA. "We need to figure out, how do we leverage the private sector in a way that equips them with information that we have to make that a fair fight between them and the attacker?" he said.

Michael Daniel, the former White House cybersecurity coordinator and now president of the Cyber Threat Alliance, a nonprofit group, said the issue also highlights how the government and private sector "are going to have to figure out some way to do triage, so that the federal government is focused on the highest threat actors against the highest threat assets."

Moscow's assertiveness in 2014 and 2015 reflected a general shift to become more aggressive in its use of cyber tools. In 2015 and 2016, Russian spy agencies hacked the Democratic National Committee's computers and launched an "active measures" campaign to disrupt the 2016 presidential election, according to U.S. intelligence officials.

China was also stepping up its hacking game in traditional espionage even as it was ratcheting back its operations in commercial cyber theft, the officials said. In September 2015, Chinese President Xi Jinping pledged at the White House that his government's hackers would not conduct hacking for commercial advantage. Senior U.S. officials have said Beijing appears to have diminished its activity in that realm.

However, as Ledgett noted in an interview at the NSA last month, the agreement applied only to cyber economic espionage. Hacking for political espionage continues. That is "legitimate foreign intelligence," said Ledgett — something that all countries do, including the United States.

Ellen Nakashima is a national security reporter for The Washington Post. She focuses on issues relating to intelligence, technology and civil liberties. Follow @nakashimae

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The New York Times

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“This was unique in the history of the F.B.I.,” said Michael B. Steinbach, the former senior national security official at the F.B.I., who worked closely with Mr. Comey, describing the circumstances the agency faced last year while investigating both the Republican and Democratic candidates for president. “People say, ‘This has

never been done before.’ Well, there never was a before. Or ‘That’s not normally how you do it.’ There wasn’t anything normal about this.”

‘Federal Bureau of Matters’

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

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

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

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

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

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

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

Mr. Comey's deputies quickly concluded that there was reasonable evidence that a crime may have occurred in the way classified materials were handled, and that the F.B.I. had to investigate. "We knew as an organization that we didn't have a choice," said John Giacalone, a former mob investigator who had risen to become the F.B.I.'s top national security official.

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

There was controversy almost immediately.

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

But the next morning, the department revised its statement.

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

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

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

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

Both had been federal prosecutors in New York — Mr. Comey in the Manhattan limelight, Ms. Lynch in the lower-wattage Brooklyn office. The 6-foot-8 Mr. Comey commanded a room and the spotlight. Ms. Lynch, 5 feet tall, was known for being cautious and relentlessly on message. In her five months as attorney general, she had shown no sign of changing her style.

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

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

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

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

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

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

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

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

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

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

Missing Emails

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

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

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

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

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

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

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

A Suspicious Document

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

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

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

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

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

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

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

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

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

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

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

As the Clinton investigation headed into its final months, there were two very different ideas about how the case would end. Ms. Lynch and her advisers thought a short statement would suffice, probably on behalf of both the Justice Department and the F.B.I.

Mr. Comey was making his own plans.

A Hot Tarmac

A chance encounter set those plans in motion.

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

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

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

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

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

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

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

Calling a Conference

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Russia Rising

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

'Exceptional Circumstances'

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“Yes,” he answered. “I’m aware.”

Supplementing the Record

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

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

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

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

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

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

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

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

The election was two weeks away.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

'This Changes Everything'

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

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

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

"This changes everything," Mr. Trump said.

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

But many agents were not satisfied.

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

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

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

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

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

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

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

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

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

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

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

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

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

Political Consequences

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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National Security

How a dubious Russian document influenced the FBI's handling of the Clinton probe

By [Karoun Demirjian](#) and [Devlin Barrett](#) May 24

A secret document that officials say played a key role in then-FBI Director James B. Comey's handling of the Hillary Clinton email investigation has long been viewed within the FBI as unreliable and possibly a fake, according to people familiar with its contents.

In the midst of the 2016 presidential primary season, the FBI received what was described as a Russian intelligence document claiming a tacit understanding between the Clinton campaign and the Justice Department over the inquiry into whether she intentionally revealed classified information through her use of a private email server.

The Russian document cited a supposed email describing how then-Attorney General Loretta E. Lynch had privately assured someone in the Clinton campaign that the email investigation would not push too deeply into the matter. If true, the revelation of such an understanding would have undermined the integrity of the FBI's investigation.

Current and former officials have said that Comey relied on the document in making his July decision to announce on his own, without Justice Department involvement, that the investigation was over. That public

announcement — in which he criticized Clinton and made extensive comments about the evidence — set in motion a chain of other FBI moves that Democrats now say helped Trump win the presidential election.

But according to the FBI's own assessment, the document was bad intelligence — and according to people familiar with its contents, possibly even a fake sent to confuse the bureau. The Americans mentioned in the Russian document insist they do not know each other, do not speak to each other and never had any conversations remotely like the ones described in the document. Investigators have long doubted its veracity, and by August the FBI had concluded it was unreliable.

The document, obtained by the FBI, was a piece of purported analysis by Russian intelligence, the people said. It referred to an email supposedly written by the then-chair of the Democratic National Committee, Rep. Debbie Wasserman Schultz (D-Fla.), and sent to Leonard Benardo, an official with the Open Society Foundations, an organization founded by billionaire George Soros and dedicated to promoting democracy.

The Russian document did not contain a copy of the email, but it described some of the contents of the purported message.

In the supposed email, Wasserman Schultz claimed Lynch had been in private communication with a senior Clinton campaign staffer named Amanda Renteria during the campaign. The document indicated Lynch had told Renteria that she would not let the FBI investigation into Clinton go too far, according to people familiar with it.

Current and former officials have argued that the secret document gave Comey good reason to take the extraordinary step over the summer of announcing the findings of the Clinton investigation himself without Justice Department involvement.

Comey had little choice, these people have said, because he feared that if Lynch announced no charges against Clinton, and then the secret document leaked, the legitimacy of the entire case would be questioned.

From the moment the bureau received the document from a source in early March 2016, its veracity was the subject of an internal debate at the FBI. Several people familiar with the matter said the bureau's doubts about the document hardened in August when officials became more certain that there was nothing to substantiate the claims in the Russian document. FBI officials knew the bureau never had the underlying email with the explosive allegation, if it ever existed.

Yet senior officials at the bureau continued to rely on the document before and after the election as part of their justification for how they handled the case.

Wasserman Schultz and Benardo said in separate interviews with The Washington Post that they do not know each other and have never communicated. Renteria, in an interview, and people familiar with Lynch's account said the two also do not know each other and have never communicated. Lynch declined to comment for this article.

Moreover, Wasserman Schultz, Benardo and Renteria said they have never been interviewed by the FBI about the matter.

Comey's defenders still insist that there is reason to believe the document is legitimate and that it rightly played a major role in the director's thinking.

"It was a very powerful factor in the decision to go forward in July with the statement that there shouldn't be a prosecution," said a person familiar with the matter. "The point is that the bureau picked up hacked material that hadn't been dumped by the bad guys [the Russians] involving Lynch. And that would have pulled the rug out of any authoritative announcement."

Other people familiar with the document disagree sharply, saying such claims are disingenuous because the FBI has known for a long time that the Russian intelligence document is unreliable and based on multiple layers of hearsay.

"It didn't mean anything to the investigation until after [senior FBI officials] had to defend themselves," said one person familiar with the matter. "Then they decided it was important. But it's junk, and they already knew that."

An FBI spokesman declined to comment. Comey did not respond to requests for comment.

The people familiar with the Russian document spoke on the condition of anonymity because they were not authorized to discuss its contents. No one familiar with it asked The Post to withhold details about its origins to safeguard the source.

Several of them said they were concerned that revealing details now about the document could be perceived as an effort to justify Trump's decision to fire Comey, but they argued that the document and Comey's firing are distinct issues. Most of the people familiar with the document disagree strongly with the decision to fire

the director, but they also criticized current and former officials who have privately cited the document as an important factor in the decisions made by Comey and other senior FBI officials. Comey told lawmakers he would discuss it with them only in a classified session.

Email not obtained

After the bureau first received the document, it attempted to use the source to obtain the referenced email but could not do so, these people said. The source that provided the document, they said, had previously supplied other information that the FBI was also unable to corroborate.

While it was conducting the Clinton email investigation, the FBI did not interview anyone mentioned in the Russian document about its claims. At the time, FBI agents were probing numerous hacking cases involving Democrats and other groups, but they never found an email like the one described in the document, these people said.

Then on July 5, Comey decided to announce on his own — without telling Lynch ahead of time — that he was closing the Clinton email case without recommending charges against anyone. Aides to Comey said he decided to act alone after Lynch met privately with Bill Clinton for nearly a half-hour on an airport tarmac in Phoenix about a week earlier — and have since said privately the Russian document was also a factor in that decision.

The appearance of possible conflict arising from the Phoenix meeting led FBI leadership to want to show it had reached the decision independently, without political interference from the Justice Department.

About a month after Comey's announcement, FBI officials asked to meet privately with the attorney general. At the meeting, they told Lynch about a foreign source suggesting she had told Renteria that Clinton did not have to worry about the email probe, because she would keep the FBI in check, according to people familiar with the matter.

"Just so you know, I don't know this person and have never communicated with her," Lynch told the FBI officials, according to a person familiar with the discussion. The FBI officials assured her the conversation was not a formal interview and said the document "didn't have investigative value," the person said.

Nevertheless, the officials said, they wanted to give the attorney general what is sometimes referred to as a "defensive briefing" — advising someone of a potential intelligence issue that could come up at some future point.

The agents never mentioned Wasserman Schultz to Lynch but told her there was some uncertainty surrounding the information because of "possible translation issues," according to a person familiar with the discussion.

Lynch told them they were welcome to speak to her staff and to conduct a formal interview of her, the person said. The FBI declined both offers.

'I've never heard of him'

Renteria, a California Democrat, first heard of the Russian document and its description of her role when a Post reporter called her.

"Wow, that's kind of weird and out of left field," she said. "I don't know Loretta Lynch, the attorney general. I haven't spoken to her."

Renteria said she did know a California woman by the same name who specializes in utility issues. The Loretta Lynch in California is a lawyer who once did campaign work for the Clintons decades ago involving the Whitewater investigation. Bloggers and others have previously confused the two women, including during Lynch's nomination to be attorney general.

Wasserman Schultz and Benardo, the alleged emailers, were also perplexed by the Russian document's claims.

Wasserman Schultz said: "Not only do I not know him — I've never heard of him. I don't know who this is. There's no truth to this whatsoever. I have never sent an email remotely like what you're describing."

She added that she had met Lynch, the former attorney general, once briefly at a dinner function.

Benardo said of Wasserman Schultz: "I've never met her. I've only read about her."

"I've never in my lifetime received any correspondence of any variety — correspondence, fax, telephone, from Debbie Wasserman Schultz," he said. "If such documentation exists, it's of course made up."

As for Renteria, Wasserman Schultz said she knew who she was from past political work but had "virtually no interaction" with her during the 2016 campaign. "I was definitely in the same room as her on more than one occasion, but we did not interact, and no email exchange during the campaign, or ever," she said.

When asked, the individuals named in the document struggled to fathom why their identities would have been woven together in a document describing communications they said never happened. But others recognized the dim outlines of a conspiracy theory that would be less surprising in Russia, where Soros — the founder of the organization Benardo works for — and Clinton are both regarded as political enemies of the Kremlin.

“The idea that Russians would tell a story in which the Clinton campaign, Soros and even an Obama administration official are connected — that Russians might tell such a story, that is not at all surprising,” said Matt Rojansky, a Russia expert and director of the Kennan Institute at the Wilson Center. “Because that is part of the Kremlin worldview.”

The secret intelligence document has attracted so much attention recently that Sen. Charles E. Grassley (R-Iowa) asked Comey about it during the director's final public appearance in Congress as FBI director before he was fired.

Comey said that he had spoken with the heads of the congressional intelligence committees about the document privately but that it was too sensitive to discuss it in public.

“The subject is classified, and in an appropriate forum I'd be happy to brief you on it,” he told the Senate Judiciary Committee. “But I can't do it in an open hearing.”

No such briefing occurred before he was fired.

Ellen Nakashima contributed to this report.

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The Trump-Russia Story Starts Making Sense

The Kremlin seems to have bet big on the willingness of U.S. intelligence agencies to leak.

Opinion Journal: How Moscow Manipulated the FBI

Opinion Journal Video: Business World Columnist Holman Jenkins Jr. on why the real Russia scandal doesn't involve the Trump campaign team. Photo credit: Getty Images.

By
Holman W. Jenkins, Jr.

Updated May 26, 2017 8:06 p.m. ET

1123 COMMENTS

The Trump -Russia business is finally coming into clearer, more rational focus. Former Obama CIA chief John Brennan, in testimony this week, offered no evidence of Trump campaign cooperation with Russian intelligence. Instead he spoke of CIA fears that Russia would try to recruit/blackmail/trick Trump colleagues into being witting or unwitting agents of influence.

This is a realistic fear of any incoming administration. It's especially realistic in the case of an "outsider" campaign full of naive, inexperienced and unvetted individuals. But it's quite different from "collusion."

The other shoe was dropped by the Washington Post. Finally we have details of an alleged email exchange showing influential liberals trusting in then-Attorney General Loretta Lynch to corral an inquiry into Hillary Clinton's email practices. According to the Post, this email appears not to exist. It was cited in a secret Russian intelligence document that inspired FBI chief James Comey to usurp the attorney general's role and publicly clear Mrs. Clinton of intelligence mishandling. Allegedly, he feared the real email (which didn't exist) would surface and discredit any Justice Department announcement clearing Mrs. Clinton.

Are you now thinking of the Trump dossier circulated by former British agent Christopher Steele, which also felt like a Russian plant? While the political circus in Washington has focused on purloined Democratic emails and fake news spread during the election by Russian bots, the more effective part of Moscow's effort may have been planting fake leads to prod U.S. enforcement and intelligence agencies to intervene disruptively in the campaign.

This also should shed new light on today's anti-Trump leakers in the intelligence agencies: They may be the real unwitting agents of Russian influence.

There are plenty of lessons to go around. Mr. Trump, if he ever really thought Vladimir Putin was his friend, probably has wised up by now. He should have wised up the moment the Steele document came into view, supposedly based on plumbing Mr. Steele's peerless Russian intelligence contacts. It always appeared possible, even likely, that Mr. Steele was the semi-witting vehicle for Russian rumors designed expressly to undermine Mr. Trump just as Russia was also trying to undermine Mrs. Clinton.

Plenty of people in Washington could also afford to rethink how their partisan idiocy makes them soft touches for such Russian disruption efforts. That includes Rep. Adam Schiff, top Democrat on the House Intelligence Committee. It includes Mr. Trump too. Overdue is an inquiry into a possible Russian role in flogging the birther conspiracy and the 9/11 truther miasma. Mr. Trump, who loves a conspiracy theory, might consider how he and his ilk showed Russia a vulnerability in American political discourse that it could exploit.

Let's remember that ex-FBI chief Robert Mueller's mission is to investigate Russian influence in the election, not the narrow matter of Trump collusion. Whether Russia suborned or tried to suborn people like Paul Manafort, Carter Page and Michael Caputo is a necessary question. Whether Russia exploited Facebook to proliferate fake anti-Hillary news is a necessary question. But so is the provenance of the Steele document and the fake email purporting a Democratic coverup of Hillary Clinton's server activity. If the FBI's Mr. Comey allowed himself to be manipulated by Russian intelligence into intervening in the race, that's something we need to know about. And we need to know about the leaks.

Mr. Brennan, the former CIA chief, has pointed out that these leaks are palpable, unambiguous crimes. Recall that Russia twice sent us detailed warnings about Tamerlan Tsarnaev, the Boston Marathon bomber. President Trump is entitled to share terrorism intelligence with Russia's ambassador. The only criminal leak occurred when anonymous officials relayed the classified content of these briefings to the press.

Certain press hyenas then cackled that Mr. Trump further "leaked" when he said, during his visit to Israel, that he never mentioned an Israeli source for any intelligence he shared with Russia's representative. Mr. Trump is entitled to make this statement, and in any case the information had already been made public through another criminal leak. Mr. Trump's obvious point was that criminal leakers leaked information beyond what he had legally and confidentially shared with the Russians.

It's times like this we are reminded how personally stupid are many people who make up the media. These leaks need to be investigated—and by Mr. Mueller specifically to the extent that the leaks, as seems more and more likely, indirectly or partly have their origins in Russian manipulation of our own intelligence and law enforcement agencies.

Democrats wanted an independent counsel investigation of Russia's election meddling. They believed it would lead to evidence of, or at least keep alive the story of, Trump collusion. They may be unpleasantly surprised where it really leads.

Appeared in the May 27, 2017, print edition.



U.S. Department of Justice

National Security Division

Counterintelligence and Export Control Section

Washington, D.C. 20530

August 1, 2017

MEMORANDUM

TO: Paul Haertel, Chief
Counterespionage Section
Counterintelligence Division
Federal Bureau of Investigation

FROM: [REDACTED], Deputy Chief [REDACTED]
Counterintelligence and Export Control Section

RE: (U) [REDACTED]
DOJ/CES Reference No. [REDACTED]

[REDACTED] CES received the above-referenced [REDACTED], dated June 23, 2017, from the [REDACTED] reporting the unauthorized disclosure of classified information in eight articles published between April and June 2017. Subject matter experts determined that the articles disclosed [REDACTED] information classified up to the [REDACTED] level.

[REDACTED] We request that the FBI open an investigation regarding the four articles listed below (articles 1, 2, 3, and 6 in the June 23 crime report). Other articles referenced in [REDACTED] will be addressed in separate correspondence.

- Ellen Nakashima, "New Details Emerge about 2014 Russian Hack of the State Department: It Was 'Hand to Hand Combat,'" *Washington Post* (3 April 2017)
- Matt Apuzzo, Michael S. Schmidt, Adam Goldman, and Eric Lichtblau, "Comey Tried to Shield the F.B.I. from Politics. Then He Shaped an Election," *New York Times* (23 April 2017)
- Karoun Demirjian and Devlin Barrett, "How a Dubious Russian Document Influenced the FBI's Handling of the Clinton Probe," *Washington Post* (24 May 2017)
- Holman W. Jenkins, Jr., "The Trump-Russia Story Starts Making Sense," *Wall Street Journal* (27 May 2017).

CLASSIFIED BY: [REDACTED]
DERIVED FROM: [REDACTED]
DECLASSIFY ON: [REDACTED]

[REDACTED]

(U) Please coordinate investigative efforts and report the results of your inquiry to this Section. If you have any questions, feel free to contact trial attorney [REDACTED] or me at [REDACTED].

[REDACTED]

U.S. Department of Justice
Federal Bureau of Investigation
Washington, D.C. 20535-0001



(U// [REDACTED]) Date: 08/14/2017

(U// [REDACTED]) Report: Notification of Opening of Full Investigation

[REDACTED] Investigation: ARCTIC HAZE

(U// [REDACTED]) Preliminary Investigation (PI)

 X Full Investigation (FI)

 X Single subject

 Multi-subject

 Enterprise

 Foreign intelligence collection

(U// [REDACTED]) Investigation initiated by: X Field Office; or FBIHQ

(U// [REDACTED]) FI Initiated: 08/14/2017

(U// [REDACTED]) FBIHQ/DOJ notice via LHM required if (check all that apply):

 X A. Full on USPER

 B. SIM (PI or full)

 C. Enterprise investigation

 D. Foreign intelligence case

(U// [REDACTED]) I. Purpose of the Investigation:

Check the appropriate purpose for which the investigation is being initiated, as per AGG-Dom II.B.1 and DIOG §§6.2 and 7.2:

 X A. To detect, obtain information about, or prevent, or protect against federal crimes or threats to the national security.

 B. To collect positive foreign intelligence.
(Full investigations only)

(U// [REDACTED]) Classified by: [REDACTED]
Derived From: [REDACTED]
Declassify On: [REDACTED]

II. Predication for the Investigation:

Appropriate circumstances: Check the appropriate circumstance(s) on which the initiation of the Preliminary Investigation or Full Investigation is based, as per AGG-Dom II.B.3 and DIOG Sections 6.5 and 7.5:

- ☒ A. (U// [REDACTED] An activity constituting a federal crime or a threat to the national security has or may have occurred, is or may be occurring, or will or may occur and the investigation may obtain information relating to the activity or the involvement or role of an individual, group, or organization in such activity;
- ☐ B. (U// [REDACTED] An individual, group, organization, entity, information, property, or activity is or may be a target of attack, victimization, acquisition, infiltration, or recruitment in connection with criminal activity in violation of federal law or a threat to the national security and the investigation may obtain information that would help to protect against such activity or threat;
- ☐ C. (U// [REDACTED] The investigation may obtain foreign intelligence that is responsive to a positive foreign intelligence requirement, as defined in DIOG Section 7.4.C. [Full investigations only]

Factual Predication:

According to a Letterhead Memorandum (LHM), dated 01 August 2017, the U.S. Department of Justice (DOJ), National Security Intelligence and Export Control, dated 23 June 2017, from [REDACTED], the unauthorized disclosure of [REDACTED] articles published between April and June 2017. Subject matter experts [REDACTED] articles disclosed [REDACTED] information classified up to the [REDACTED] level.

The captioned information is referenced in [REDACTED] ed on the following four [REDACTED]:

1. Ellen Nakashima, "New Details Emerge about 2014 Russian Hack of the State Department: It Was 'Hand to Hand Combat,'" *Washington Post* (3 April 2017)

2. Matt Apuzzo, Michael S. Schmidt, Adam Goldman, and Eric Lichtblau, "Comey Tried to Shield the F.B.I. from Politics. Then He Shaped an Election," *New York Times* (23 April 2017)
3. Karoun Demirjian and Devlin Barrett, "How a Dubious Russian Document Influence the FBI's Handling of the Clinton Probe," *Washington Post* (24 May 2017)
4. Holman W. Jenkins, Jr., "The Trump-Russia Story Starts Making Sense," *Wall Street Journal* (27 May 2017).

Washington Field Office (WFO) is op the captioned
gation based on recommendation from and the above referenced
01 A CES. Due to its sification, a plac er
for will be serialized upon receipt from .

Non-USPER:

Under DIOG Appendix G, Section 2.1, if a non-USPER,
pleas narrative demonstrating that the person is or may be:

- ☐ A. A foreign power or working for a foreign power; or
- ☐ B. From a foreign country or entity that has been designated by the President or the Attorney General on the National Security Threat List (NSTL), in consultation with the National Security Council for purposes of the AGG-DOM based on the concern its activities present to the national security of the United States; or
- ☐ C. In another class designated by the Director of the FBI in consultation with the Assistant Attorney General for National Security.
- ☐ D. Not Applicable

III. Sensitive Investigative Matter(s):

Check all pertinent sensitive investigative matter(s), as defined in DIOG Section 10.2.3.2 A-G, and Appendix G, Section 7 that apply to this investigation (If applicable, provide a narrative below addressing the sensitive investigative matter):

- ☐ A. A domestic public official or political candidate

- _____ B. A religious or political organization or an individual prominent in such an organization
- _____ C. A member of the media or a news organization (unless excepted in DIOG Appendix G, Section G)
- _____ D. An individual having an academic nexus (unless excepted in DIOG Appendix G, Section G)
- _____ E. Any other matter which, in the judgement of the official authorizing an investigation, should be brought to the attention of FBIHQ and other DOJ officials
- _____ F. Any matter subject to the SORC as per DIOG Appendix C and G
- _____ G. Not Applicable

(U// [REDACTED] **IV. Certification:**

The case agent and all approving personnel certify that:

- X A. An authorized purpose and adequate predication exist for initiating the preliminary or full investigations;
- X B. The investigation is not based solely on the exercise of First Amendment activities or race, religion, national origin or ethnicity of the subject; and
- X C. The investigation is an appropriate use of personnel and financial resources.

(U// [REDACTED] nt of contact for t [REDACTED] ion is Special
Agen [REDACTED], telephone number [REDACTED].



FEDERAL BUREAU OF INVESTIGATION

Import Form

Form Type: EMAIL - Email

Date: 09/18/2017

Title: [REDACTED] Case Opening and SIM Notification

Approved By: A/UC [REDACTED]

Drafted By: [REDACTED]

Case ID #: [REDACTED] [REDACTED] ARCTIC HAZE - Sensitive
Investigative Matter
SENSITIVE INVESTIGATIVE MATTER

Synopsis: [REDACTED] Case Opening and SIM Notification

Enclosure(s): Enclosed are the following items:

1. [REDACTED] ARCTIC+HAZE+Opening+LHM - CES.pdf

Reason: [REDACTED]
[REDACTED]

♦♦

U.S. Department of Justice
Federal Bureau of Investigation
Washington, D.C. 20535-0001



(U// [REDACTED] Date: 09/15/2017

(U// [REDACTED] Report: Notification of Opening of Full Investigation

[REDACTED] Investigation: ARCTIC HAZE

(U// [REDACTED] Preliminary Investigation (PI)

 X Full Investigation (FI)

 X Single subject

 Multi-subject

 Enterprise

 Foreign intelligence collection

(U// [REDACTED] Investigation initiated by: X Field Office; or FBIHQ

(U// [REDACTED] FI Initiated: 08/14/2017

(U// [REDACTED] FBIHQ/DOJ notice via LHM required if (check all that apply):

 X A. Full on USPER

 B. SIM (PI or full)

 C. Enterprise investigation

 D. Foreign intelligence case

(U// [REDACTED] I. Purpose of the Investigation:

Check the appropriate purpose for which the investigation is being initiated, as per AGG-Dom II.B.1 and DIOG §§6.2 and 7.2:

 X A. To detect, obtain information about, or prevent, or protect against federal crimes or threats to the national security.

 B. To collect positive foreign intelligence.
(Full investigations only)

(U// [REDACTED] Classified by: [REDACTED]

Derived From: [REDACTED]

Declassify On: [REDACTED]

II. Predication for the Investigation:

Appropriate circumstances: Check the appropriate circumstance(s) on which the initiation of the Preliminary Investigation or Full Investigation is based, as per AGG-Dom II.B.3 and DIOG Sections 6.5 and 7.5:

- ☒ A. (U// [REDACTED] An activity constituting a federal crime or a threat to the national security has or may have occurred, is or may be occurring, or will or may occur and the investigation may obtain information relating to the activity or the involvement or role of an individual, group, or organization in such activity;
- ☐ B. (U// [REDACTED] An individual, group, organization, entity, information, property, or activity is or may be a target of attack, victimization, acquisition, infiltration, or recruitment in connection with criminal activity in violation of federal law or a threat to the national security and the investigation may obtain information that would help to protect against such activity or threat;
- ☐ C. (U// [REDACTED] The investigation may obtain foreign intelligence that is responsive to a positive foreign intelligence requirement, as defined in DIOG Section 7.4.C. [Full investigations only]

Factual Predication:

According to a Letterhead Memorandum (LHM), dated 01 August 2017, from the U.S. Department of Justice (DOJ), National Security Division, Counterintelligence and Export Control Section (CES), [REDACTED], dated 23 June 2017, from [REDACTED], reported the unauthorized disclosure of classified information in eight articles published between April and June 2017. Subject matter experts determined the articles disclosed [REDACTED] information classified up to the [REDACTED] level.

([REDACTED]) The captioned investigation is predicated on the following four articles referenced in [REDACTED]:

1. Ellen Nakashima, "New Details Emerge about 2014 Russian Hack of the State Department: It Was 'Hand to Hand Combat,'" *Washington Post* (3 April 2017)

2. Matt Apuzzo, Michael S. Schmidt, Adam Goldman, and Eric Lichtblau, "Comey Tried to Shield the F.B.I. from Politics. Then He Shaped an Election," *New York Times* (23 April 2017)
3. Karoun Demirjian and Devlin Barrett, "How a Dubious Russian Document Influence the FBI's Handling of the Clinton Probe," *Washington Post* (24 May 2017)
4. Holman W. Jenkins, Jr., "The Trump-Russia Story Starts Making Sense," *Wall Street Journal* (27 May 2017).

Washington Field Office (WFO) is opening the captioned investigation based on recommendation from [REDACTED] and the above referenced 01 August 2017 LHM from DOJ/CES. Due to its classification, a placeholder for [REDACTED] will be serialized upon receipt from [REDACTED].

Non-USPER:

Under DIOG Appendix G, Section 2.1, if a non-USPER, please provide narrative demonstrating that the person is or may be:

- ☐ A. A foreign power or working for a foreign power; or
- ☐ B. From a foreign country or entity that has been designated by the President or the Attorney General on the National Security Threat List (NSTL), in consultation with the National Security Council for purposes of the AGG-DOM based on the concern its activities present to the national security of the United States; or
- ☐ C. In another class designated by the Director of the FBI in consultation with the Assistant Attorney General for National Security.
- ☐ D. Not Applicable

III. Sensitive Investigative Matter(s):

Check all pertinent sensitive investigative matter(s), as defined in DIOG Section 10.2.3.2 A-G, and Appendix G, Section 7 that apply to this investigation (If applicable, provide a narrative below addressing the sensitive investigative matter):

- ☐ A. A domestic public official or political candidate

- _____ B. A religious or political organization or an individual prominent in such an organization
- X** C. A member of the media or a news organization (unless excepted in DIOG Appendix G, Section G)
- _____ D. An individual having an academic nexus (unless excepted in DIOG Appendix G, Section G)
- _____ E. Any other matter which, in the judgement of the official authorizing an investigation, should be brought to the attention of FBIHQ and other DOJ officials
- _____ F. Any matter subject to the SORC as per DIOG Appendix C and G
- _____ G. Not Applicable

(U//_____ **IV. Certification:**

The case agent and all approving personnel certify that:

- X** A. An authorized purpose and adequate predication exist for initiating the preliminary or full investigations;
- X** B. The investigation is not based solely on the exercise of First Amendment activities or race, religion, national origin or ethnicity of the subject; and
- X** C. The investigation is an appropriate use of personnel and financial resources.

(U//_____ The WFO/_____ point of contact for this investigation is Special Agent _____, telephone number _____.

To: [REDACTED]; [REDACTED]
Cc: [REDACTED] (WF) (FBI) ([REDACTED]); [REDACTED] (CD) (FBI); [REDACTED]
Subject: Case Opening and SIM Notification --- [REDACTED]

SentinelCaseId: [REDACTED]
SentToSentinel: 9/15/2017 7:53:39 PM

Classification: [REDACTED]

Classified By: [REDACTED]
Derived From: [REDACTED]
Declassify On: [REDACTED]

=====

Sent for Approval for RECORD//Sentinel Case [REDACTED]

Good Afternoon,

Please find attached a letterhead memorandum (LHM) providing notification of the opening of a national security full investigation (FI) of a US Person (USPER) involving a Sensitive Investigative Matter (SIM). This investigation is code-named ARCTIC HAZE and has FBI case file number [REDACTED]. To satisfy the administrative reporting requirements of DIOG Appendix G, sections G.9.1 (A) and (B), this LHM is being submitted to separate DOJ National Security Division e-mail addresses established for reporting national security FIs on USPERs ([REDACTED]) and for reporting SIMs ([REDACTED]). For accounting purposes, please note that only one investigation has been initiated here. Attorneys in the DOJ Counterintelligence and Export Control Section (copied) and EDVA are already aware of the existence of the ARCTIC HAZE investigation.

Thanks,

[REDACTED]

SSA [REDACTED]
FBIHQ [REDACTED]
[REDACTED] (desk)
[REDACTED] (mobile)
[REDACTED] (secure)



=====

Classification: [REDACTED]



FEDERAL BUREAU OF INVESTIGATION
Import Form

Form Type: EMAIL - Email

Date: 09/09/2021

Title: [REDACTED] Notification of FBI Case Closing

Approved By: UC [REDACTED]

Drafted By: [REDACTED]

Case ID #: [REDACTED] [REDACTED] ARCTIC HAZE - Sensitive
Investigative Matter
SENSITIVE INVESTIGATIVE MATTER

Synopsis: [REDACTED] Notification of FBI Case Closing

Enclosure(s): Enclosed are the following items:

1. [REDACTED] Arctic+Haze+Closing+LHM.pdf

Reason: [REDACTED]

Derived [REDACTED]

Declassify On: [REDACTED]

♦♦

U.S. Department of Justice
Federal Bureau of Investigation
Washington, D.C. 20535-0001



(U// [REDACTED] Date: 9/8/2021

(U// [REDACTED] Report: CLOSING LETTERHEAD MEMORANDUM

(U// [REDACTED] Investigation: ARCTIC HAZE

(U// [REDACTED] Preliminary Investigation (PI)

 X Full Investigation (FI)

 X Single subject

 Multi-subject

 Enterprise

 Foreign intelligence collection

(U// [REDACTED] Investigation initiated by: X Field Office; or FBIHQ

(U// [REDACTED] FI Initiated: 8/14/2017

(U// [REDACTED] FBIHQ/DOJ notice via LHM required if (check all that apply):

 X A. Espionage Investigation

 B. SIM (PI or full)

 C. Enterprise investigation

 D. Foreign intelligence case

(U// [REDACTED] I. Purpose of the Investigation:

Check the appropriate purpose for which the investigation is being initiated, as per AGG-Dom II.B.1 and DIOG §§6.2 and 7.2:

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

Classified By: [REDACTED]

Derived From: [REDACTED]

Declassify On: [REDACTED]

- X A. To detect, obtain information about, or prevent, or protect against federal crimes or threats to the national security.
- ___ B. To collect positive foreign intelligence.
(Full investigations only)

(U// [REDACTED]) **II. Predication for the Investigation:**

Appropriate circumstances: Check the appropriate circumstance(s) on which the initiation of the Preliminary Investigation or Full Investigation is based, as per AGG-Dom II.B.3 and DIOG Sections 6.5 and 7.5:

- X A. (U// [REDACTED]) An activity constituting a federal crime or a threat to the national security has or may have occurred, is or may be occurring, or will or may occur and the investigation may obtain information relating to the activity or the involvement or role of an individual, group, or organization in such activity;
- ___ B. (U// [REDACTED]) An individual, group, organization, entity, information, property, or activity is or may be a target of attack, victimization, acquisition, infiltration, or recruitment in connection with criminal activity in violation of federal law or a threat to the national security and the investigation may obtain information that would help to protect against such activity or threat;
- ___ C. (U// [REDACTED]) The investigation may obtain foreign intelligence that is responsive to a positive foreign intelligence requirement, as defined in DIOG Section 7.4.C. [Full investigations only]

[REDACTED]

(U// [REDACTED] Factual Predication:

[REDACTED] FBI Washington Field Office (WFO) opened the Arctic Haze investigation based on a [REDACTED] [REDACTED] dated June 23, 2017. The [REDACTED] related that a New York Times article contained classified information (hereinafter "the Classified Information") held by [REDACTED]. The article was titled "Comey Tried to Shield the FBI from Politics. Then He Shaped an Election" which was published on April 22, 2017. The article was written by New York Times reporters Matt Apuzzo, Michael Schmidt, Adam Goldman, and Eric Lichtblau.

[REDACTED] The article discussed the FBI Midyear Exam investigation concerning Secretary of State Hillary Clinton's use of a private email server. In particular, the article focused on FBI Director James Comey's (Comey) decision to make public statements regarding the Midyear Exam investigation. On July 5, 2016, Comey issued a public statement announcing the FBI had completed the Midyear Exam investigation. His public statement, which was made unilaterally, and in a manner the United States Department of Justice Office of Inspector General (U.S. DOJ OIG) later found to be in violation of long-standing Department policy, criticized Clinton for uncharged conduct concerning the handling of classified information, and recommended the Department decline prosecution. Later, Comey made additional unilateral statements to Congress about re-opening and then again closing the Midyear Exam investigation in October 2016, just prior to the presidential election. This second set of statements was also criticized in the public and by the DOJ OIG.

[REDACTED] Comey has publicly indicated on several occasions that classified information contributed to his decision to make his independent July 5, 2016 and October 2016 announcements. Comey provided sworn testimony to the U.S. DOJ OIG and Senate Select Committee on Intelligence. Comey testified he made the July 5, 2016 announcement independently because he believed participation by Attorney General ("AG") Loretta Lynch would result in "corrosive doubt" about whether Lynch was acting impartially. Comey provided several justifications for this belief. First, Lynch was appointed by a President from the same political party as Clinton. Second, Lynch had earlier directed Comey to refer to Midyear Exam as a "matter," not an investigation. Third, Lynch had a widely publicized private conversation with former-President William Clinton during an apparent chance encounter on the tarmac of a Phoenix, Arizona airport on June 26, 2016. And fourth, Comey had concerns the Classified Information, which directly related to whether or not the Attorney General should have been recused from the Midyear Exam investigation, would be leaked to the media or would otherwise be disclosed. Comey stated, "One significant item I can't, I know the committee's been briefed on. There's been some public accounts of it, which are nonsense, but I understand the committee's been briefed on the classified facts."

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[REDACTED]

(U//[REDACTED] Comey alluded to the Classified Information in his book, *"Higher Loyalty: Truth, Lies, and Leadership."* According to Comey, there was a development in early 2016 concerning some classified information that had come into the possession of the United States government. According to Comey, the information came from a classified source, which remains classified, and it is still unknown to the American public. "Had it become public, the unverified material would undoubtedly have been used by political opponents to cast serious doubt on the Attorney General's independence in connection to the Clinton investigation." Comey wrote he was "bothered that there was classified information that would someday become public and used to attack the integrity of the investigation and, more important, call into question the independence of the FBI."

(U//[REDACTED] In classified testimony to the OIG, Comey confirmed the specific Classified Information, which was discussed in the New York Times article, and indicated it did impact his decision to make unilateral, public statements about the Midyear Exam investigation.

SUMMARY OF INVESTIGATIVE STEPS

(U//[REDACTED] Since the start of the investigation in August 2017, investigators have taken the following steps:

- Searched all FBI hardline phone and email records for contacts with known reporter facilities (also known as spin searches);
- Reviewed spin searches on [REDACTED] hardline phone and email records for known reporter facilities;
- Obtained and reviewed a multitude of telephone records on FBI cellular and work phones for FBI employees in the subject pool, including text messages;
- [REDACTED];
- [REDACTED];
- Analyzed handwritten notes taken by FBI employees;
- [REDACTED];

- Analyzed thousands of documents and other items of evidence [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

transmission. [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED]
[REDACTED] [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] [REDACTED]
[REDACTED]
[REDACTED] [REDACTED]
[REDACTED].

FBI ASSISTED WITH THE APRIL 2017 ARTICLE

██████████ Investigators learned that FBI Office of Public Affairs ("OPA") was told to assist the New York Times with the April 2017 article. According to interviews with FBI employees, Comey either directed or otherwise authorized FBI's official assistance to the New York Times. FBI OPA did not coordinate or brief DOJ leadership or DOJ OPA about this

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[REDACTED]

decision, even though AG Lynch had left the Department and DOJ regulations called for DOJ OPA coordination in cases of media contact with the New York Times. As part of the FBI's assistance, FBI officials Peter Strzok and Lisa Page were interviewed by the New York Times concerning this article in the presence of DOJ OPA officials.

[REDACTED] During an interview with the investigative team, Strzok stated he believed FBI Executive Management told them to meet with the New York Times. Strzok said he recalled being told to provide an investigator-level briefing on the Midyear Exam investigation. These briefings took place on March 10, 2017, March 30, 2017, and April 10, 2017. During the March 30, 2017 meeting, the New York Times told Strzok and Page they had the Classified Information. Strzok told investigators he did not recall the New York Times having the Classified Information, but Page told investigators she specifically recalled the Classified Information and took a break from the meeting to discuss with Strzok that the New York Times had the Classified Information. Page indicated she alerted her supervisors about the fact the New York Times had the Classified Information. According to FBI OPA, the New York Times advised them in their April 10, 2017 interview about the content of the article, including the Classified Information. [REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

COMEY, RICHMAN, and THEIR INTERACTIONS WITH THE MEDIA

(U// [REDACTED] By way of background, Richman is a Columbia University Law Professor and a close friend of Comey. They met while working as Assistant United States Attorneys ("AUSAs") in the Southern District of New York ("SDNY"). The New York Times article contained several quotes, attributed to Daniel Richman, which defended Comey's decisions to make unilateral public statements about the Midyear Exam investigation. In 2015, Comey instructed the FBI to hire Richman as a Special Government Employee ("SGE") and to grant him a Top Secret clearance with access to Sensitive Compartmented Information ("SCI"). FBI records indicated Richman was hired to work on "Going Dark" matters. The investigation revealed Comey also hired Richman so Comey could discuss sensitive matters, including classified information, with someone outside of the FBI's regular leadership. Comey also used Richman as a liaison to the media. On several occasions, Richman spoke with the media without consultation with FBI or DOJ's Offices of Public Affairs. Richman contacted journalists to correct stories critical of Comey, the FBI and to shape future press coverage. Richman did this both when he was an SGE and after he resigned from the FBI.

(U// [REDACTED] The investigation revealed Richman had been a source for Michael Schmidt, one of the reporters credited with writing the article at issue, and the New York Times since at least 2008. Richman first spoke with Schmidt regarding an investigation into illegal activity in sports. Prior to Richman becoming an SGE, Schmidt visited Richman's

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[REDACTED]

[REDACTED]

house numerous times. The New York Times quoted Richman several times, both on the record and on background, in stories regarding Jim Comey. After he was terminated by President Trump, Comey used Richman as a conduit to convey to the media memoranda of his meetings with President Trump.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

(U// [REDACTED] Although Richman later told the interviewing agents Comey never asked him to talk to the media, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(U// [REDACTED] On November 22, 2019, the Arctic Haze investigative team interviewed Richman. According to Richman, Comey and Richman talked about the "hammering" Comey was taking from the media concerning his handling of the Midyear Exam investigation. Richman opined Comey took comfort in the fact Richman had talked to the press about his feelings regarding Comey's handling and decision-making on the Midyear Exam investigation. Richman claimed Comey never asked him to talk to the media.

[REDACTED] According to Richman, he and Comey had a private conversation in Comey's office in January 2017. The conversation pertained to Comey's decision to make a public statement on the Midyear Exam investigation. Comey told Richman the tarmac meeting between Lynch and Clinton was not the only reason which played into Comey's statement on the Midyear Exam investigation. According to Richman, Comey told Richman of Lynch's characterization of the investigation as a "matter" and not that of an investigation. Richman recalled Comey told him there was some weird classified material related to Lynch which came to the FBI's attention. Comey did not fully explain the details of the information. Comey told Richman about the Classified Information, including the source of the information. Richman understood the information could be used to suggest Lynch might not be impartial with regards of the conclusion of the Midyear Exam investigation. Richman understood the information about Lynch was highly classified and it should be protected. Richman was an SGE at the time of the meeting.

([REDACTED]) According to Richman, he and Schmidt had a conversation shortly after the meeting with Comey in or around January 2017. Richman claimed Schmidt brought up the Classified Information and knew more about it than he did. Richman was pretty sure he did not confirm the Classified Information. However, Richman told the interviewing agents he was sure "with a discount" that he did not tell Schmidt about the Classified Information. Richman did not know who gave Schmidt the Classified Information. Richman acknowledged he had many discussions with Schmidt about the article as an SGE and even after he resigned as an SGE. Richman acknowledged he contributed more to the article than what was attributed to him by name. Richman also stated he knew Schmidt talked to numerous other government sources for information on the article.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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

[REDACTED] [REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED].

(U// [REDACTED] Investigators then turned their attention to individuals who were on the [REDACTED], [REDACTED], and had not yet been interviewed. [REDACTED] [REDACTED]

CONCLUSION

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

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[REDACTED]

[REDACTED] We also understand DOJ NSD has historically not approved the prosecution of pure confirmatory sources of classified information under 18 U.S.C. § 793. The investigation has also not identified any evidence regarding any other specific person who had access to the Classified Information who willfully discussed the Classified Information with any of the Reporters.

(U// [REDACTED] Due to the inability to further narrow the subject pool and lack of other logical investigative steps, WFO has exhausted all leads in furtherance of the captioned investigation. Since there is no way to accurately scope the subject pool, additional techniques would not be effective in advancing the investigation, and insufficient evidence exists to pursue additional legal process.

(U// [REDACTED] Investigative efforts have failed to identify the source or sources of the unauthorized public disclosure. Per the FBI Domestic Investigations and Operations Guide (DIOG), 7.12.1, sufficient personnel and financial resources were expended on the investigation and there are no outstanding leads, logical investigative techniques, or evidence remaining. No further investigative activity is warranted and for these reasons described, WFO recommends closing this investigation.

(U// [REDACTED] Non-USPER:

(U// [REDACTED] Under DIOG Appendix G, Section 2.1, if a non-USPER, please provide narrative demonstrating that the person is or may be:

- ☐ A. A foreign power or working for a foreign power; or
- ☐ B. From a foreign country or entity that has been designated by the President or the Attorney General on the National Security Threat List (NSTL), in consultation with the National Security Council for purposes of the AGG-DOM based on the concern its activities present to the national security of the United States; or
- ☐ C. In another class designated by the Director of the FBI in consultation with the Assistant Attorney General for National Security.
- ☒ D. Not Applicable

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

(U// [REDACTED]) **III. Sensitive Investigative Matter(s):**

Check all pertinent sensitive investigative matter(s), as defined in DIOG Section 10.2.3.2 A-G, and Appendix G, Section 7 that apply to this investigation (If applicable, provide a narrative below addressing the sensitive investigative matter):

- ☐ A. A domestic public official or political candidate
- ☐ B. A religious or political organization or an individual prominent in such an organization
- ☐ C. A member of the media or a news organization (unless excepted in DIOG Appendix G, Section G)
- ☐ D. An individual having an academic nexus (unless excepted in DIOG Appendix G, Section G)
- ☐ E. Any other matter which, in the judgement of the official authorizing an investigation, should be brought to the attention of FBIHQ and other DOJ officials
- ☐ F. Any matter subject to the SORC as per DIOG Appendix C and G
- ☒ G. Not Applicable

(U// [REDACTED]) **IV. Certification:**

The case agent and all approving personnel certify that:

- ☒ A. An authorized purpose and adequate predication exist for initiating the preliminary or full investigations;
- ☒ B. The investigation is not based solely on the exercise of First Amendment activities or race, religion, national origin or ethnicity of the subject; and
- ☒ C. The investigation is an appropriate use of personnel and financial resources.

♦♦

To: [REDACTED]; [REDACTED]
Subject: Notification of FBI Case Closing --- [REDACTED]
Attachments: Arctic+Haze+Closing+LHM.pdf

SentinelCaseId: [REDACTED]
SentToSentinel: 9/8/2021 6:38:31 PM

Classification: [REDACTED]

Classified By: [REDACTED]
Derived From: [REDACTED]
Declassify On: [REDACTED]

=====
Sent for Approval for RECORD//Sentinel Case [REDACTED]

Good Afternoon, Please find attached a Letterhead Memorandum notification of FBI case closing, code-named ARCTIC HAZE.

SSA [REDACTED]
Counterintelligence Division
[REDACTED]
(desk)
(cell)

=====
Classification: [REDACTED]



FEDERAL BUREAU OF INVESTIGATION
Electronic Communication

Title: [REDACTED] On 09/08/2021, FBIHQ and Department of Justice provided concurrence to close Arctic Haze invest

Date: 11/23/2021

From: WASHINGTON FIELD

WF-[REDACTED]

Con [REDACTED] :

Approved By: [REDACTED]

Drafted By: [REDACTED]

Case ID #: [REDACTED]

[REDACTED] ARCTIC HAZE - Sensitive
Investigative Matter
SENSITIVE INVESTIGATIVE MATTER

Synopsis: [REDACTED] On 09/08/2021, FBIHQ and Department of Justice provided concurrence to close Arctic Haze investigation

Reason: [REDACTED]

Derived F [REDACTED]

Declassify On: [REDACTED]

Details:

[REDACTED] On 09/08/2021, FBIHQ and Department of Justice provided concurrence to close Arctic Haze investigation. The AUSA has requested the FBI to maintain the evidence in this case for nine months due to possible inspection from the Department of Justice Office of Inspector General.

♦♦