



**FEDERAL BUREAU OF INVESTIGATION**  
**Electronic Communication**

**Title:** [REDACTED] To open media leak investigation on  
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]

**Drafted By:** [REDACTED] 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’

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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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**The Washington Post**

National Security

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

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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.

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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:

- 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]

### *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:*

[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], 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)

- 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].

10/1/2010

\_\_\_\_\_

- 
- 
- 
- 

© 2006 The Authors

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):

- 

\_\_\_\_\_

- \_\_\_\_\_ 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)

  
ARCTIC HAZE Opening  
- CEA

=====

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."

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.

[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."

(S//[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]

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

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

\_\_\_\_\_

[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



[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]  
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[REDACTED]  
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[REDACTED]

[REDACTED]

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[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]

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

(U//[REDACTED] The investigation has not yielded sufficient evidence to criminally charge any person, including Comey or Richman, with making false statements or with the substantive offenses under investigation.

\_\_\_\_\_

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[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

(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]  
[REDACTED] (desk)  
[REDACTED] (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], [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.

♦♦



**FEDERAL BUREAU OF INVESTIGATION**  
**Electronic Communication**

**Title:** [REDACTED] Opening Communication --This  
communication serves to replace [REDACTED]

**Date:** 05/12/2017

**From:** BALTIM

BA-[REDACTED]

**Con** [REDACTED] :

**Approved By:** [REDACTED]

**Drafted By:** [REDACTED]

**Case ID #:** [REDACTED]

[REDACTED] ECHOS FATE  
EAK - NEWSPAPER

**Synopsis:** [REDACTED] Captioned UNSUB investigation is being  
initiated to identify the source of an unauthorized disclosure of  
classified FBI [REDACTED] information.

**Reason:** [REDACTED]  
[REDACTED]

**Full Investigation Initiated:** 05/10/2017

**Enclosure(s):** Enclosed are the following items:

1. (U// [REDACTED]) DOJ Crimes Report

**Details:**

[REDACTED] Captioned investigation is predicated upon specific and  
articulable facts related in a referral from FBIHQ indicating  
classified FBI [REDACTED] material had been provided to a member of  
the media by an unknown subject (UNSUB).

[REDACTED] On May 08, 2017 FBI Baltimore received a referral from FBIHQ  
requesting [REDACTED] open a media leak investigation based on  
[REDACTED]

\_\_\_\_\_

[illegible]

□ □ □ □ □

□ ☐ ☐

114

[REDACTED]

Title: [REDACTED] Opening Communication --This communication serves to  
replace [REDACTED]  
Re: [REDACTED], 05/12/2017

(U) Note: Due to an administrative error, this document serves to  
replace [REDACTED] in the instant electronic case file.

♦♦



**U.S. Department of Justice**  
Federal Bureau of Investigation

VIA SECURE EMAIL

January 24, 2017

To: The Honorable Mary McCord  
Assistant Attorney General  
National Security Division  
U.S. Department of Justice

Attn: George Z. Toscas  
Deputy Assistant Attorney General

From: E. William Priestap  
Assistant Director  
Counterintelligence Division  
Federal Bureau of Investigation

Re: CRIME REPORT

(U// [REDACTED]) The following information is submitted in writing, pursuant to Sections 1.7(a) and 2.6(a) of Executive Order 12333 and 32 C.F.R. §§ 2001 et seq., to report possible violations of federal criminal law concerning the unauthorized disclosures of classified information. This letter formally recommends an investigation into the unauthorized disclosure described herein. The FBI considers this a "Tier 3" disclosure under the May 2011 Guidance from the Director of National Intelligence regarding Intelligence Community Reporting and Investigation of Unauthorized Disclosures of Classified Information ("2011 DNI Procedures").

(U// [REDACTED]) The FBI Counterintelligence Division provided the following information in response to the "11 Questions":

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Page 1 of 3

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

FBI-HJC119-SL-000073

- [REDACTED]
1. (U) What is the date and identity of the article disclosing the classified information?

[REDACTED] Washington Post, Friday, January 13, 2017, *Four burning questions on Russia*, David Ignatius, p. A19.

2. (U) What specific statements in the article were considered classified and was the data properly classified?

[REDACTED]  
[REDACTED]  
[REDACTED] This data is properly  
classified at the [REDACTED] level with [REDACTED]  
[REDACTED] caveats.

3. (U) Is the classified data disclosed accurately?

[REDACTED] Yes.

4. (U) Did the data come from a specific document and, if so, what is the origin of the document and the name of the individual responsible for the security of the classified data disclosure?

[REDACTED] The data appeared in at least two initial documents: [REDACTED]  
and [REDACTED], outlining information obtained from an [REDACTED]  
[REDACTED] the [REDACTED]  
[REDACTED] of the FBI.

5. (U) What is the extent of official dissemination of the data?

[REDACTED] The FBI proposed the inclusion of this information in a President's Daily Brief (PDB), and therefore the material was disseminated to PDB staff, to include [REDACTED]  
[REDACTED], and [REDACTED]  
[REDACTED] PDB staff. The information was briefed by the Director of the FBI to the President of the United States, the Vice President of the United States, National Security Advisor Susan Rice, Deputy Attorney General Sally Yates, and DNI Gen James Clapper. The Deputy Director of the FBI discussed the material with Bob Litt, the ODNI General Counsel (who was previously aware

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Page 2 of 3

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

[REDACTED]

of the information), and Mary McCord, the Acting Assistant Attorney General for the National Security Division, Department of Justice.

6. (U) Has the data been the subject of prior official releases?

( [REDACTED] ) No.

7. (U) Were prior clearances for publication or release of the information sought from proper authorities?

(U) No.

8. (U) Has the material (or portions thereof) or enough background data been published officially or in the press to make an educated speculation on the matter possible?

(U) No.

9. (U) Can the data be declassified for the purpose of prosecution, and if so, who is competent to testify concerning the classification?

[REDACTED] No decision has yet been made.

10. (U) Has the declassification been decided upon prior to the publication of the data?

( [REDACTED] ) No, the material was not declassified.

11. (U) What effect could the disclosure of the classified data have on the national defense?

[REDACTED]

(U// [REDACTED] ) The FBI Headquarters point of contact for this investigation is Supervisory Special Agent [REDACTED], Desk/STE: [REDACTED], [REDACTED] (SIPRNet), [REDACTED] (SCINet).

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.

Page 3 of 3

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

[REDACTED]



**FEDERAL BUREAU OF INVESTIGATION**

**Import Form**

**Form Type:** LHM

**Date:** 05/25/2017

**Title:** (U) Opening LHM

**Approved By:** [REDACTED]

**Drafted By:** [REDACTED]

**Case ID #:** [REDACTED]

[REDACTED] ECHOS FATE  
MEDIA LEAK - NEWSPAPER

**Synopsis:** (U) LHM notification of initiated investigation as prepared for DOJ/CES.

**Reason:** [REDACTED]

♦♦



**U.S. Department of Justice  
Federal Bureau of Investigation**

Washington, D.C. 20535-0001



(U// [REDACTED]) Date: May 19, 2017

(U// [REDACTED]) Report: **Notification Letterhead Memorandum**

[REDACTED] Investigation: ECHOS FATE; MEDIA LEAK - NEWSPAPER

(U// [REDACTED])      Preliminary Investigation (PI)  
  **X**   Full Investigation (FI)

     Single subject  
     Multi-subject  
     Enterprise  
     Foreign intelligence collection

(U// [REDACTED]) Investigation initiated by:   **X**   Field Office

(U// [REDACTED]) Full Initiated: **05/10/2017** (USPER)

(U// [REDACTED]) FBIHQ/DOJ notice via LHM required if:

  **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:

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, activity, 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]

### (U// [REDACTED]) **Factual Predication:**

[REDACTED] Captioned investigation is predicated upon specific and identifiable facts. [REDACTED] In a referral from FBIHQ indicating classified FBI [REDACTED] material had been provided to a member of the [REDACTED] unknown subject (UNSUB).

[REDACTED] May 08, 2017 [REDACTED] I Baltimore received a referral from [REDACTED] requesting [REDACTED] open a media leak investigation based on [REDACTED] information contained in a January 13, 2017 Washington Post Article written by David Ignatius entitled *Four burning questions on Russia*. Within the article, Ignatius wrote:

[REDACTED]

[REDACTED] FBIHQ Counterintelligence Division (CD) determined the [REDACTED] contained in [REDACTED] ssified [REDACTED] further, [REDACTED] the information for publication and/or declassify the information prior to publication.

[REDACTED] FBI CD determined the informat [REDACTED] in the [REDACTED] ar [REDACTED] ts: [REDACTED] and a [REDACTED] tion [REDACTED] d from [REDACTED]

[REDACTED]

[REDACTED] Based on information provided by FBIHQ CD and contained the Washington Post article, Baltimore is initiating a Full Investigation in order to determine the source of the leaked information and to determine whether the UNSUB is, or may be, engaged in additional activities constituting a federal crime and/or a threat to the national security.

(U// [REDACTED] Non-USPER:

[REDACTED] Under DIOG Appendix G, Section 2.1, if a non-USPER, please [REDACTED] de 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

(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:

- 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.

♦♦



**FEDERAL BUREAU OF INVESTIGATION**  
**Electronic Communication**

**Title:** (U) To Provide HQ [REDACTED] Concurrence to Close  
Captioned Investigation

**Date:** 12/09/2020

**From:** COUNTERINTELLIGENCE

Deactivated - DO NOT USE -- [REDACTED] [REDACTED]  
[REDACTED]  
[REDACTED], [REDACTED]

**Approved By:** [REDACTED]

**Drafted By:** [REDACTED]

**Case ID #:** [REDACTED] [REDACTED] ECHOS FATE  
MEDIA LEAK - NEWSPAPER

**Synopsis:** (U) To Provide HQ [REDACTED] Concurrence to Close Captioned  
Investigation

**Reason:** [REDACTED]  
**Derived f** [REDACTED]  
**Declassify On:** [REDACTED]

**Reference:** [REDACTED]

**Enclosure(s):** Enclosed are the following items:

1. (U) Closing LHM to DOJ

**Details:**

(U// [REDACTED] Per Domestic Investigations and Operations Guide (DIOG) Section 7.12, the information in the closing summary report, see serial 93, represents the results of captioned investigation. Sufficient personnel and financial resources were expended on the investigation and logical

[REDACTED]

[REDACTED]  
Title: (U) To Provide HQ [REDACTED] Concurrence to Close Captioned Investigation

Re: [REDACTED], 12/09/2020

and reasonable investigation was completed. All investigative methods/techniques initiated have been completed and/or discontinued, all leads set have been completed and/or discontinued, and all evidence will be returned, destroyed or retained in accordance with evidence policy.

[REDACTED] FBI Headquarters, [REDACTED], in concurrence with USAO DC, USAO Eastern District of Missouri in conjunction with FBI Washington Field Office SAC, recommends that captioned investigation be closed. Per Counterintelligence Division Policy Guide (CDPG) Section 3.5.1.9, a closing Letterhead Memorandum is provided and has been passed to DOJ for notification.

◆◆

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



(U// [REDACTED]) Date: December 5, 2020

(U// [REDACTED]) Report: **Closing of Investigation LHM**

[REDACTED] Investigation: **ECHOS FATE**

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

☒ Full Investigation (FI)

☒ Single subject

☐ Multi-subject

☐ Enterprise

☐ Foreign intelligence collection

(U// [REDACTED]) FI Initiated: May 10, 2017

(U) **I. Background/Predication for the Investigation:**

(U// [REDACTED]) On 10 May 2017, captioned investigation was opened to identify the source of unauthorized disclosures of classified FBI information provided to members of the media by an un[REDACTED] subject (UNSUB). FBI Baltimore received a referral from FBIHQ [REDACTED] requesting the opening of a media leak investigation based on information contained in a *Washington Post* article written by DAVID IGNATIUS published on 13 January 2017 entitled, "Four Burning Questions on Russia."

(U// [REDACTED]) A subsequent Crimes Report was submitted based on information contained in a *Washington Post* article written by GREG MILLER, ADAM ENTOUS, and ELLEN NAKASHIMA published on 10 February 2017 entitled, "Officials Say Flynn Discussed Sanctions."

(U) **II. Results of the Investigation:**



(U// [REDACTED]) Open source research shows the referenced disclosures of classified information are also reflected in the following additional articles with varying amounts of detail:

- (U) 12 January 2017, "Why Did Obama Dawdle on Russia's Hacking," by David Ignatius, *The Washington Post* (online edition of article listed above)
- (U) 22 January 2017, "U.S. Eyes Michael Flynn's Links to Russia," by Carol E. Lee, Devlin Barrett, and Shane Harris, *The Wall Street Journal* (online article)
- (U) 24 January 2017, "U.S. Investigating Flynn Calls with Russian Diplomat," Evan Perez and Jim Sciutto, *CNN* (online article)
- (U) 09 February 2017, "Flynn is Said to Have Talked to Russians about Sanctions before Trump took Office," Matthew Rosenberg and Matt Apuzzo, *The New York Times* (online article)
- (U) 09 February 2017, "National Security Advisor Flynn Discussed Sanctions with Russian Ambassador, Despite Denials, Officials Say," Greg Miller, Adam Entous, Ellen Nakashima, *The Washington Post* (online edition of article listed above)

(U// [REDACTED]) The information referenced in the crimes reports was classified until approximately June, 2020. At that time, the majority of the information became declassified, however sources and methods involved remain classified.

### **(U) Results of Investigation**

(U) The investigative team consisted of FBI, the United States Attorney's Office for the District of Columbia, the Counterintelligence and Export Control Section of the National Security Division, and the United States Attorney's Office for the Eastern District of Missouri. The following investigative techniques were coordinated through the investigative team and completed:

#### *(U) Determination of Breadth of Dissemination and Subject Pool*

(U) The subject pool is larger in scope than initially understood at the onset of the investigation, which is comprised of over 167 individuals. This number does not include all individuals exposed to the ECHOS FATE material through verbal briefings and discussions, therefore there is no way to fully determine the scope of dissemination prior to its release.

#### *(U) Internal Audits and Record Review of Communication Systems*

(U// [REDACTED]) FBI reviewed mass quantities of data, which included over 10,000 internal government email, call, and Lync message records in coordination with case agents assigned to other consolidated media leak

[REDACTED]

cases at WFO and case agents of other media leak investigations. The records provided background information for timeline purposes, but was not successful in narrowing down any persons of interest in the subject pool.

*(U) Open Source Analysis*

(U) FBI conducted broad open source research and analysis to identify information related to the captioned investigation. While reporting on the topic was voluminous and helpful for timeline purposes, none of the information yielded advanced the investigation.

[REDACTED]

[REDACTED]

(U) Because of the senior position of most of the prioritized subject pool, many had official purposes for contacting the media as part of their job duties. Without sufficient probable cause to pursue additional legal process, it is impossible to determine if the nature of the media contact was legitimate or nefarious.

(U) Without any additional derogatory information to narrow down a target, the FBI was unable to pursue more intrusive legal process to attempt to verify the substance of each contact. Absent a confession or admission, there is no way to determine the content of an in-person or telephonic conversation without real-time monitoring.

(U) Furthermore, analysis is limited to overt communications and does not include communications which may have involved measures to obfuscate communications such as using someone else's phone, drop phones, encrypted applications, or other methods for reporters to protect their sources.

*(U) Interviews and Review of Overlapping Investigative Material*

(U// [REDACTED] Over 30 interviews of FBI, DOJ, and USIC employees were conducted [REDACTED], which yielded selectors for relevant reporters and background for the investigation. However, no significant investigative leads were identified through interviews to narrow the subject pool.

(U) To ensure interviewing agents had all relevant information available prior to conducting subject pool interviews, FBI requested prior interviews, timelines, and other relevant documents from Congress, DOJ, and SCO to prepare comprehensive interview plans. Because of the

[REDACTED]

significant overlap in the investigations and subject pools, the process of identifying and retrieving relevant investigative material was lengthy and required extensive coordination with FBIHQ and DOJ.

*(U) Analysis of Hand Written Notes and Files*

(U) FBI analyzed classified and unclassified hand written notes and hard copy work files belonging to FBI and DOJ officials in the subject pool from the time of the leaks, which were examined for lead value. While used to corroborate information and timeline events, no leads were identified.

*(U) Coordination and analysis of Consolidated Media Leak Cases*

(U// [REDACTED] FBI coordinated with all consolidated media leak investigative team [REDACTED] OPIC VORTEX, ECHOS FATE, FOGGY FALLS, GENETIC CHRISTMAS, and SIRENS LURE) to ensure any overlapping relevant information was identified, shared, and exploited. FBI reviewed all interview records to identify all relevant ECHOS FATE material and completed a review of evidence items for any potential lead value.

(U// [REDACTED] All logical investigative activity has been exhaustively [REDACTED] available for consideration is [REDACTED]. However, in light of the [REDACTED]

subject pool, the FBI assesses [REDACTED] in the [REDACTED] will not be effective to identify th [REDACTED] es.

[REDACTED] Based on the totality of information collected over the course of investigation, it was deemed ECHOS FATE does not pose a threat to national security and the investigation is being closed. Should FBI Washington Field Office receive subsequent reporting related to ECHOS FATE posing a threat to national security, FBI Washington Field Office will reopen the captioned investigation at that time.

[REDACTED] FBI Counterintelligence Division (CD), [REDACTED] e [REDACTED], has provided FBI Washington Field Office [REDACTED] investigation in accordance with DIOG 7.12.1 policy.

(U) Should you have any qu [REDACTED] He [REDACTED] ntact [REDACTED], CD, [REDACTED]



**FEDERAL BUREAU OF INVESTIGATION**  
**Electronic Communication**

**Title:** [REDACTED] Closing EC and Closing LHM

**Date:** 12/16/2020

**From:** WASHINGTON FIELD

WF-[REDACTED]

**Con:** [REDACTED], [REDACTED]

**Approved By:** [REDACTED]

**Drafted By:** [REDACTED]

**Case ID #:** [REDACTED] [REDACTED] ECHOS FATE  
LEAK - NEWSPAPER

**Applied to all Subfiles:** Yes

**Synopsis:** (U) To document closing EC/LHM to case file

**Reason:** [REDACTED]

**Derived** [REDACTED]

**Declassify On:** [REDACTED]

**Details:**

(U// [REDACTED] Per Domestic Investigations and Operations Guide (DIOG) Section 7.12, the information in the closing summary report, see serial 93, represents the results of captioned investigation. Sufficient personnel and financial resources were expended on the investigation and logical and reasonable investigation was completed. All investigative methods/techniques initiated have been completed and/or discontinued, all leads set have been completed and/or discontinued, and all evidence will be returned, destroyed or retained in accordance with evidence policy.

[REDACTED] FBI Headquarters, [REDACTED], in  
concurrence with USAO DC, USAO Eastern District of Missouri in

[REDACTED]

Title: [REDACTED] Closing EC and Closing LHM  
Re: [REDACTED], 12/16/2020

conjunction with FBI Washington Field Office SAC, recommends that captioned investigation be closed. Per Counterintelligence Division Policy Guide (CDPG) Section [REDACTED], a closing Letterhead Memorandum (LHM) has been passed to DOJ for notification.

(U) See [REDACTED] of captioned case for further details and Closing LHM.

◆◆



**FEDERAL BUREAU OF INVESTIGATION**  
**Electronic Communication**

**Title:** (U) Opening EC**Date:** 05/10/2017**CC:** [REDACTED]**From:** WASHINGTON FIELD

WF-[REDACTED]

**Con:** [REDACTED], [REDACTED]**Approved By:** [REDACTED]**Drafted By:** [REDACTED]**Case ID #:** [REDACTED][REDACTED] FOGGY FALLS;  
GE - NONCRITERIA COUNTRY**Synopsis:** [REDACTED] Opening EC for FOGGY FALLS investigation.**Reason:** [REDACTED]**From:** [REDACTED]

D [REDACTED]

**fy On:** [REDACTED]**Full Investigation Initiated:** 05/10/2017**Details:**

[REDACTED] On or about April 12, 2017, an article entitled, "Court Let FBI Monitor an Adviser to Trump," written by Ellen Nakashima, Devlin Barrett, and Adam Entous, was published in the Washington Post newspaper. This article contained specific, classified statements from a Foreign Intelligence Surveillance Act (FISA) application targeting Carter Page [Dockets [REDACTED]]. This FISA application was submitted to the Foreign Intelligence Surveillance Court (FISC) by the Federal Bureau of Investigation (FBI).

[REDACTED]

[REDACTED]

Title: (U) Opening EC  
Re: [REDACTED], 05/10/2017

[REDACTED] The following specific statements, properly classified at the [REDACTED] level with [REDACTED] caveats, from the FISA application were included in the article:

"The FBI obtained a secret court order last summer to monitor the communications of an adviser to presidential candidate Donald Trump, part of an investigation into possible links between Russia and the campaign, law enforcement and other U.S. officials said. The FBI and the Justice Department obtained the warrant targeting Carter Page's communications after convincing a Foreign Intelligence Surveillance Court judge that there was probable cause to believe Page was acting as an agent of a foreign power, in this case Russia, according to the officials.

The government's application for the surveillance order targeting Page included a lengthy declaration that laid out investigators' basis for believing that Page was an agent of the Russian government and knowingly engaged in clandestine intelligence activities on behalf of Moscow, officials said. Among other things, [REDACTED]

[REDACTED] officials said. [REDACTED] in a federal espionage case brought by the Justice Department against the [REDACTED] In addition, the [REDACTED] officials said.

The application also showed that the FBI and the Justice Department's national security division have been seeking since July to determine how broad a network of accomplices Russia enlisted in attempting to influence the 2016 presidential election, the officials said. Since the 90-day warrant was first issued, it has been renewed more than once by the FISA court, the officials said."

[REDACTED] The Washington Post article includes many references that are included in the FISA application and would be classified as [REDACTED].

[REDACTED]

Title: (U) Opening EC  
Re: [REDACTED], 05/10/2017

[REDACTED] Many of these unauthorized disclosures are also found in the online Washington Post article entitled, "FBI Obtained FISA Warrant to Monitor Trump Adviser Carter Page." This article was dated April 11, 2017, with the same byline.

[REDACTED] The FISA applications at issue were drafted and reviewed by FBI - Counterintelligence Division and FBI New York Field Office in conjunction with DOJ - National Security Division - Office of Intelligence. FBI Office of General Counsel, FBI Director's Office, and DOJ - Office of the Deputy Attorney General had access to the FISA applications during the certification and approval process. Individuals in DOJ - NSD - Counterintelligence and Export Control Section (CES) were also aware of the FISA applications. Finally, in order to execute the coverage under [REDACTED], individuals at the [REDACTED]

[REDACTED] In addition, in response to a Congressional inquiry, two of the FISA applications were provided, in a read-only capacity, to a very limited number of Congressmen and staffers: House Leadership, Senate Leadership, Chair/Ranking HPSCI, Chair/Ranking SSCI, and Chair/Ranking Judiciary. DOJ - Office of Legislative Affairs helped facilitate this process.

[REDACTED] Given the specific target of the FISA, i.e., Carter Page, disclosure of this information would likely impact the FBI's coverage of this particular target. Moreover, disclosure of this information could impact our ability to conduct counterintelligence investigations on this and other foreign governments. Finally, disclosure of this information could have an impact on the foreign relationships of the United States.

[REDACTED] Based on the aforementioned information, a full investigation is being opened to determine the source of this specific unauthorized disclosure of classified information.



[REDACTED]  
Title: (U) Opening EC

Re: [REDACTED], 05/10/2017

♦♦



**FEDERAL BUREAU OF INVESTIGATION**  
**Electronic Communication**

**Title:** (U// [REDACTED]) CASE CLOSING CONCURRENCE

**Date:** 05/06/2020

**CC:** [REDACTED]

**From:** COU [REDACTED]

**Approved By:** UC [REDACTED]

FEINBERG MATTHEW A

**Drafted By:** [REDACTED]

**Case ID #:** [REDACTED] (U) RESTRICTED - Access Denied

**Synopsis:** (U// [REDACTED]) To Document CD-[REDACTED] Concurrence to Close Captioned Investigation

**Reason:** [REDACTED]

**From:** [REDACTED]

**Draft On:** [REDACTED]

**Reference:** [REDACTED]

**Enclosure(s):** Enclosed are the following items:

1. [REDACTED] Closing LHM
2. [REDACTED] DOJ Declination Letter

**Details:**

(U// [REDACTED]) Based on the information provided below, this communication provides Section Chief concurrence to close the captioned investigation

[REDACTED]  
Title: (U// [REDACTED] CASE CLOSING CONCURRENCE  
Re: [REDACTED], 05/06/2020

in accordance with Domestic Investigations and Operations Guide (DIOG) 7.12 and Counterintelligence Division Policy Guide (CD PG) [REDACTED].

[REDACTED] On or about 11 April 2017, an article entitled "FBI obtained FISA warrant to monitor Trump adviser Carter Page" written by Ellen Nakashima, Devlin Barrett, and Adam Entous, was published in the Washington Post online. On or about 12 April 2017, the same article entitled, "Court Let FBI Monitor an Adviser to Trump," written by Ellen Nakashima, Devlin Barrett, and Adam Entous, was published in the Washington Post printed newspaper.

[REDACTED] This article contained specific, classified statements from a Foreign Intelligence Surveillance Act (FISA) application targeting Carter Page [Dockets [REDACTED]]. This FISA application was submitted to the Foreign Intelligence Surveillance Court (FISC) by the Federal Bureau of Investigation (FBI). On 10 May 2017, the FBI Washington Field Office (WFO) opened a full investigation, code named FOGGY FALLS (FF), to determine the source of this specific unauthorized disclosure of classified information.

[REDACTED] The following specific statements, properly classified at the [REDACTED] level with [REDACTED] caveats, from the FISA application were included in the Washington Post article:

"The FBI obtained a secret court order last summer to monitor the communications of an adviser to presidential candidate Donald Trump, part of an investigation into possible links between Russia and the campaign, law enforcement and other U.S. officials said. The FBI and the Justice Department obtained the warrant targeting Carter Page's communications after convincing a Foreign Intelligence Surveillance Court judge that there was probable cause to believe Page was acting as an agent of a foreign power, in this case Russia, according to the officials. The government's application for the surveillance order targeting Page

[REDACTED]

Title: (U// [REDACTED] CASE CLOSING CONCURRENCE  
Re: [REDACTED], 05/06/2020

included a lengthy declaration that laid out investigators' basis for believing that Page was an agent of the Russian government and knowingly engaged in clandestine intelligence activities on behalf of Moscow, officials said. Among other things, [REDACTED]

[REDACTED] officials said. [REDACTED] in a federal espionage case brought by the Justice Department against the [REDACTED]

[REDACTED] In addition, [REDACTED]

[REDACTED] officials said. The application also showed that the FBI and the Justice Department's national security division have been seeking since July to determine how broad a network of accomplices Russia enlisted in attempting to influence the 2016 presidential election, the officials said. Since the 90-day warrant was first issued, it has been renewed more than once by the FISA court, the officials said."

[REDACTED] The FISA applications at issue were drafted and reviewed by FBI - Counterintelligence Division and FBI New York Field Office in conjunction with DOJ - National Security Division - Office of Intelligence. FBI Office of General Counsel, FBI Director's Office, and DOJ - Office of the Deputy Attorney General had access to the FISA applications during the certification and approval process. Individuals in DOJ - NSD - Counterintelligence and Export Control Section (CES) were also aware of the FISA applications. Finally, in order to execute the coverage under [REDACTED], individuals at the [REDACTED]

[REDACTED] In addition, in response to a Congressional inquiry, two of the FISA applications were provided in March and April 2017, in a read-only capacity, to a very limited number of Congressmen and staffers: House Leadership, Senate Leadership, House Permanent Select Committee on Intelligence (HPSCI), Senate Select Committee on Intelligence (SSCI), and

[REDACTED]  
Title: (U// [REDACTED] CASE CLOSING CONCURRENCE  
Re: [REDACTED], 05/06/2020

House and Senate Judiciary Committees. DOJ - Office of Legislative Affairs helped facilitate this process.

(U) On 29 January 2018, HPSCI voted to disclose publicly a memorandum containing classified information provided to HPSCI by FBI and DOJ in connection with its oversight activities. As provided by clause 11(g) of Rule X of the House of Representatives, HPSCI forwarded the memorandum to the President based on its determination that the release of the memorandum would serve the public interest. On or about 2 February 2018, President Donald Trump declassified the [REDACTED] HPSCI majority memorandum to UNCLASSIFIED.

(U) On 29 January 2018, HPSCI Minority also wrote a memorandum containing classified information provided to HPSCI by FBI and DOJ in connection with its oversight activities. On or about 24 February 2018, President Donald Trump declassified the HPSCI Minority [REDACTED] memorandum to UNCLASSIFIED.

[REDACTED] Due to the HPSCI Majority and Minority memorandums being declassified, on 16 March 2018 FBI WFO sent a memorandum requesting a written opinion from DOJ CES and USAO-DC regarding the viability of prosecution and willingness of DOJ CES and USAO-DC to prosecute. DOJ CES and USAO-DC never provided a written response to FBI WFO.

[REDACTED] On or about 21 July 2018, the President declassified a redacted copy of the Page FISA and three renewal applications which DOJ publicly released. Based on the declassification of the Page FISA, on 31 July 2018 FBI WFO sent a memorandum requesting a written opinion from DOJ CES and USAO-DC regarding the viability of prosecution and willingness of DOJ CES and USAO-DC to prosecute this matter given all classified material which served as basis for leak has been declassified by the President. DOJ CES and USAO-DC never provided a written response to FBI WFO.

[REDACTED]

Title: (U// [REDACTED] CASE CLOSING CONCURRENCE  
Re: [REDACTED], 05/06/2020

[REDACTED] Since DOJ CES and USAO-DC did not provide a written response to the two FBI memorandums date 16 March 2018 and 21 July 2018 and only provided a verbal instruction to keep the FF investigation open, FBI WFO placed the FF investigation into Pending Inactive status on or about 30 January 2019.

[REDACTED] Based on the results of the captioned investigation and [REDACTED], WFO made multiple requests of DOJ CES and USAO-DC to obtain [REDACTED] [REDACTED] who had access to the Page FISA applications prior to the aforementioned Washington Post article publication. DOJ CES and USAO-DC were unwilling to obtain the [REDACTED]. Therefore, WFO requested [REDACTED] for a limited time frame, since all logical investigative leads had been completed. DOJ CES and USAO-DC refused to obtain [REDACTED]. Since DOJ CES and USAO-DC were not willing to obtain [REDACTED], WFO exhausted all logical investigative steps to move the FF case forward and requested DOJ CES and USAO-DC to provide WFO with a declination memorandum.

[REDACTED] On 6 March 2020, DOJ CES and USAO-DC provided FBI WFO with declination and recommendation to closing the FBI FF investigation, which is included as an attachment to this document (1A package). Also attached is the closing LHM that was submitted to DOJ.

♦♦

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



(U// [REDACTED]) Date: 4/14/2020

(U// [REDACTED]) Report: Closing Letterhead Memorandum

[REDACTED] Investigation: FOGGY FALLS

(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]) PI/FI Initiated/Converted: 05/10/2017

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

[REDACTED] On or about 11 April 2017, an article entitled "FBI obtained FISA to monitor Trump adviser Carter Page" written by Ellen Nakashima, Devlin Barrett, and Adam Entous, was published in the *Washington Post* online. On or about 12 April 2017, the same article entitled, "Court Let FBI Monitor an Adviser to Trump," written by Ellen Nakashima, Devlin Barrett, and Adam Entous, was published in the *Washington Post* printed newspaper.

[REDACTED] This article contained specific, classified statements from a [REDACTED] (ISA) application targeting Carter Page [Dockets [REDACTED]]. This FISA application was submitted to the [REDACTED] Surveillance Court (FISC) by the Federal Bureau of Investigation (FBI). On 10 May 2017, the FBI Washington Field Office (WFO) opened a full investigation, code named FOGGY FALLS (FF), to determine the source of this specific unauthorized disclosure of classified information.

[REDACTED]

[REDACTED] The follow [REDACTED] properly classified at the  
[REDACTED] level with [REDACTED] caveats, from the FISA  
[REDACTED] ation were i [REDACTED] st article:

"The FBI obtained a secret court order last summer to monitor the communications of an adviser to presidential candidate Donald Trump, part of an investigation into possible links between Russia and the campaign, law enforcement and other U.S. officials said. The FBI and the Justice Department obtained the warrant targeting Carter Page's communications after convincing a Foreign Intelligence Surveillance Court judge that there was probable cause to believe Page was acting as an agent of a foreign power, in this case Russia, according to the officials. The government's application for the surveillance order targeting Page included a lengthy declaration that laid out investigators' basis for believing that Page was an agent of the Russian government and knowingly engaged in clandestine intelligence a

[REDACTED]

[REDACTED] e  
[REDACTED]

[REDACTED] I and  
[REDACTED] e Department's national security division have been seeking since July to determine how broad a network of accomplices Russia enlisted in attempting to influence the 2016 presidential election, the officials said. Since the 90-day warrant was first issued, it has been renewed more than once by the FISA court, the officials said."

[REDACTED] The FISA applications at issue were drafted and reviewed by FBI - intelligence Division and FBI New York Field Office in conjunction with DOJ - National Security Division - Office of Intelligence. FBI Office of General Counsel, FBI Director's Office, and DOJ - Office of the Deputy Attorney General had access to the FISA applications during the certification and approval process. Individuals in DOJ - NSD - Counterintelligence and Export Control Section (CES) were also aware of [REDACTED] ns. Finally, in orde [REDACTED] r

[REDACTED]

[REDACTED] In addition, in response to a Congressional inquiry, two of the [REDACTED] plications were provided in March and April 2017, in a read-only capacity, to a very limited number of Congressmen and staffers: House Leadership, Senate Leadership, House Permanent Select Committee on [REDACTED]



[REDACTED]

Intelligence (HPSCI), Senate Select Committee on Intelligence (SSCI), and House and Senate Judiciary Committees. DOJ - Office of Legislative Affairs helped facilitate this process.

(U) On 29 January 2018, HPSCI voted to disclose publicly a memorandum containing classified information provided to HPSCI by FBI and DOJ in connection with its oversight activities. As provided by clause 11(g) of Rule X of the House of Representatives, HPSCI forwarded the memorandum to the President based on its determination that the release of the memorandum would serve the public interest. February 2018, President Donald Trump declassified the [REDACTED] HPSCI majority memorandum to UNCLASSIFIED.

(U) On 29 January 2018, HPSCI Minority also wrote a memorandum containing classified information provided to HPSCI by FBI and DOJ in connection with its oversight activities. On or about President Donald Trump declassified the HPSCI Minority [REDACTED] memorandum to UNCLASSIFIED.

(U) **II. Conclusion:**

[REDACTED] Due to the HPSCI Majority and Minority memorandums being [REDACTED] ified, on 16 March 2018 FBI WFO sent a memorandum requesting a written opinion from DOJ CES and USAO-DC regarding the viability of prosecution and willingness of DOJ CES and USAO-DC to prosecute. DOJ CES and USAO-DC never provided a written response to FBI WFO.

[REDACTED] On or about 21 July 2018, the President declassified a redacted the Page FISA and three renewal applications which DOJ publicly released. Based on the declassification of the Page FISA, on 31 July 2018 FBI WFO sent a memorandum requesting a written opinion from DOJ CES and USAO-DC regarding the viability of prosecution and willingness of DOJ CES and USAO-DC to prosecute this matter given all classified material which served as basis for leak has been declassified by the President. DOJ CES and USAO-DC never provided a written response to FBI WFO.

[REDACTED] Since DOJ CES and USAO-DC did not provide a written response to FBI memorandums date 16 March 2018 and 21 July 2018 and only provided a verbal instruction to keep the FF investigation open, FBI WFO placed the FF investigation into Pending Inactive status on or about 30 January 2019.

[REDACTED] and [REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] who had access to the Page FISA applications  
[REDACTED] ed Washington Post a  
[REDACTED] ere unwilling to obtain the [REDACTED]

[REDACTED] me,

[REDACTED] to

[REDACTED] forward and requested DOJ CES and  
USAO-DC to provide WFO with a declination memorandum.

[REDACTED] On 6 March 2020, DOJ CES and USAO-DC provided FBI WFO with  
[REDACTED] tion and recommendation to closing the FBI FF investigation, which  
is included as an attachment to this document (1A package).

[REDACTED] T [REDACTED] f contact for this investigation is SA [REDACTED]  
[REDACTED], [REDACTED].



**U.S. Department of Justice**

**National Security Division**

Counterintelligence and Export Control Section

Washington, D.C. 20530

March 6, 2020

Mr. Matthew A. Feinberg  
Section Chief, [REDACTED]  
Counterintelligence Division  
Federal Bureau of Investigation

(U// [REDACTED]) Re: FBI Crime Report Dated April 12, 2017

Dear Mr. Feinberg,

[REDACTED] The United States Attorney's Office for the District of Columbia and the Counterintelligence and Export Control Section of the National Security Division jointly recommend that the Federal Bureau of Investigation ("FBI") close the investigation code-named FOGGY FALLS.

[REDACTED] The investigation concerned unauthorized disclosures of classified information in an article entitled, "Court Let FBI Monitor an Adviser to Trump." The article, written by Ellen Nakashima, Devlin Barrett, and Adam Entous, was published by the *Washington Post* on April 12, 2017. The article contained specific, classified statements from a Foreign Intelligence Surveillance Act ("FISA") application that targeted Carter Page, a U.S. person and adviser to then-candidate Trump. Among other things, the article disclosed the application's connection to the FBI's investigation into possible links between Russia and the Trump campaign. The article also disclosed that the Foreign Intelligence Surveillance Court ("FISC") concluded that there was probable cause to believe Page was acting as an agent of a foreign power, namely Russia.

[REDACTED] As you are aware, the government undertook a number of steps in furtherance of this investigation. The initial subject pool comprised over 100 persons, primarily at the FBI. Investigators interviewed every person at the FBI, and their supervisors, who had physical access to the Page FISA application. The FBI also [REDACTED]. The investigation did identify James Wolfe, a former staffer on the Senate Select Committee on Intelligence, as a subject. Wolfe was interviewed and pled guilty to violating Title 18, United States Code, Section 1001 for making false statements to the FBI about his contact with members of the media. Other than Wolfe, no significant leads were developed despite these numerous investigative steps. At this point, the only remaining, logical investigative steps are to subpoena records from members of Congress, which implicates the Speech or Debate Clause of the United States Constitution, or to seek a subpoena on a member of the media.

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

[REDACTED]

[REDACTED] We recommend closing the investigation because the government has declassified much of the disclosed classified information since the article was published. In its oversight capacity, the House Permanent Select Committee ("HPSCI") conducted an inquiry concerning the Carter Page FISA application. On January 29, 2018, the House Permanent Select Committee on Intelligence ("HPSCI") voted to disclose publicly a memorandum containing classified information. On or about February 2, 2018, President Donald Trump declassified this memorandum. The HPSCI minority also wrote a memorandum, which President Trump declassified on or about February 24, 2018. Both memoranda contained detailed information from the Page FISA applications, including previously-classified facts supporting the probable cause to believe that Page was an agent of a foreign power.

[REDACTED]

[REDACTED] Moreover, the Department of Justice Inspector General recently released a report documenting irregularities in the Carter Page FISA applications. This report, along with a material misstatement notice filed by the Department of Justice in the FISC, present significant discovery issues for this case.

[REDACTED] We were informed that on or about January 30, 2019, the FBI moved this case into "pending inactive" status. Our understanding is that the case was placed into this status because it was determined that resources would be better devoted to other cases in light of the declassification of the information as well as the fact that the investigation did not bear significant fruit. We are requesting closure now since the case has been inactive for some time and no additional leads have developed through other, related investigations.

[REDACTED]

[REDACTED]

(U) For the above reasons, we recommend closing this investigation. If you have any questions, please do not hesitate to contact either one of us.

Sincerely,

/s/

[REDACTED]  
Deputy Chief  
National Security Division  
Counterintelligence and Export Control Section

/s/

[REDACTED]  
Deputy Chief  
National Security Section  
United States Attorney's Office

[REDACTED]



**FEDERAL BUREAU OF INVESTIGATION**  
**Electronic Communication**

**Title:** [REDACTED] Closing of FOGGY FALLS  
Investigation.

**Date:** 05/13/2020

**CC:** [REDACTED]

**From:** HONOLU

HN-[REDACTED]

**Con t:** [REDACTED], [REDACTED]

**Approved By:** [REDACTED]

**Drafted By:** [REDACTED]

**Case ID #:** [REDACTED] [REDACTED] FOGGY FALLS;  
M EAK

**Applied to all Subfiles:** Yes

**DOCUMENT RESTRICTED TO CASE PARTICIPANTS**

This document contains information that is restricted to case participants.

**Synopsis:** [REDACTED] To document the closing of the FOGGY FALLS  
investigation.

**Reason:** [REDACTED]  
[REDACTED]  
[REDACTED]

**ify On:** [REDACTED]

**Details:**

[REDACTED] On May 6, 2020, FBI HQ provided concurrence to close captioned  
investigation ([REDACTED]) based on WFO's request ([REDACTED]). Therefore,  
WFO is closing the FOGGY FALLS investigation.

[REDACTED]

Title: [REDACTED] Closing of FOGGY FALLS investigation.  
Re: [REDACTED], 05/13/2020

◆◆



**FEDERAL BUREAU OF INVESTIGATION**  
**Electronic Communication**

**Title:** (U// [REDACTED]) Opening Communication

**Date:** 10/23/2017

**From:** WASHINGTON FIELD

WF-[REDACTED]

**Con:** [REDACTED], [REDACTED]

**Approved By:** [REDACTED]

**Drafted By:** [REDACTED]

**Case ID #:** [REDACTED]

[REDACTED] GENETIC CHRISTMAS;  
[REDACTED] MEDIA LEAK;  
[REDACTED] - VICTIM AGENCY;  
[REDACTED] UB(S)

**Synopsis:** [REDACTED] To open media leak investigation based on information provided by U.S. Department of Justice, National Security Division regarding [REDACTED]

**Reason:** [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Full Investigation Initiated:** 10/23/2017

**Enclosure(s):** Enclosed are the following items:

1. [REDACTED] Placeholder

**Details:**

[REDACTED] FBI Washington Field Office (WFO), [REDACTED], opened the captioned full investigation based on [REDACTED], dated 7/25/2017, reporting the unauthorized disclosure of [REDACTED] classified information in an article published on 12/14/2016. Subject matter experts determined the articles disclosed [REDACTED] information up to the [REDACTED] level.

[REDACTED] The captioned investigation is predicated on the following NBCNews.com article referenced in [REDACTED]:  
[REDACTED]



[REDACTED]

Title: (U// [REDACTED]) Opening Communication  
Re: [REDACTED], 10/23/2017

(U// [REDACTED]) William Arkin, Ken Dilanian and Cynthia McFadden, "U.S. Officials: Putin Personally Involved in U.S. Election Hack," NBCNews.com (12/14/2017).

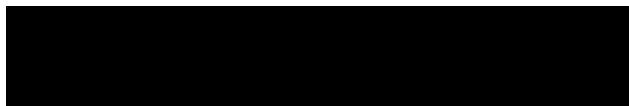
[REDACTED] WFO, [REDACTED] is opening the captioned investigation based on recommendations from [REDACTED]. Supplemental predicated information referenced in the aforementioned [REDACTED] is forthcoming.

(U// [REDACTED]) The WFO [REDACTED] Point of Contact for this investigation is Special Agent [REDACTED], telephone number [REDACTED].

♦♦



Placeholder





**FEDERAL BUREAU OF INVESTIGATION**  
**Electronic Communication**

**Title:** (U) Opening LHM**Date:** 10/23/2017**From:** WASHINGTON FIELD

WF- [REDACTED]

**Con** : [REDACTED], [REDACTED]**Approved By:** SSA [REDACTED]**Drafted By:** [REDACTED]**Case ID #:** [REDACTED]

[REDACTED] GENETIC CHRISTMAS;

[REDACTED] IA LEAK;

[REDACTED] - VICTIM AGENCY;

[REDACTED] SUB(S)

**Synopsis:** (U) Opening LHM**Reason:** [REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED] ify On: [REDACTED]

**Enclosure(s):** Enclosed are the following items:

1. (U) Opening LHM

**Details:**(U// [REDACTED] **Date:** 10/23/2017)(U// [REDACTED] **Report:** INITIATION OF INVESTIGATION LHM)[REDACTED] **Investigation:** GENETIC CHRISTMAS(U// [REDACTED]        **Preliminary Investigation (PI)**)   **Full Investigation (FI)**   **Single subject**   **Multi-subject**

[REDACTED]

Title: (U) Opening LHM  
Re: [REDACTED], 10/23/2017

☐ Enterprise  
☐ Foreign intelligence collection

(U// [REDACTED] Investigation initiated by: ☒ Field Office; or ☐ FBIHQ  
(U// [REDACTED] FI Initiated: 10/23/2017  
(U// [REDACTED] FBIHQ/DOJ notice via LHM required if (check all that apply):

- ☒ 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:

☒ 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] Derived From: [REDACTED]  
[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

[REDACTED]

[REDACTED]

Title: (U) Opening LHM  
Re: [REDACTED], 10/23/2017

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] *Factual Predication:*

[REDACTED] FBI Washington Field Office (WFO), [REDACTED], opened the captioned full investigation based on [REDACTED], dated 7/25/2017, reporting the unauthorized disclosure of [REDACTED] classified information in an article published on 12/14/2016. Subject matter experts determined the articles disclosed [REDACTED] information up to the [REDACTED] level.

[REDACTED] The captioned investigation is predicated on the following NBCNews.com article referenced in [REDACTED]:

1. William Arkin, Ken Dilanian and Cynthia McFadden, "U.S. Officials: Putin Personally Involved in U.S. Election Hack," NBCNews.com (12/14/2017).

(U// [REDACTED]) The WFO [REDACTED] Point of Contact for this investigation is Special Agent [REDACTED], telephone number [REDACTED].

[REDACTED]

[REDACTED]

Title: (U) Opening LHM  
Re: [REDACTED], 10/23/2017

(U// [REDACTED] The FBIHQ/[REDACTED] Point of Contact (PoC) for the captioned matter is Supervisory Special Agent (SSA) [REDACTED]. SSA [REDACTED] can be reached at [REDACTED].

[REDACTED] *Non-USPER:*

[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

[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)

[REDACTED]

Title: (U) Opening LHM  
Re: [REDACTED], 10/23/2017

       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

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



(U// [REDACTED]) Date: 10/23/2017

(U// [REDACTED]) Report: INITIATION OF INVESTIGATION LHM

[REDACTED] Investigation: GENETIC CHRISTMAS

(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: 10/23/2017

(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]) 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:*

[REDACTED] FBI Washington Field Office [REDACTED] he capti [REDACTED] investigation based on [REDACTED] d reporting the unauthorized [REDACTED] classified information in an article published [REDACTED] 6. [REDACTED] experts determined the articles disclosed [REDACTED] information up to the [REDACTED] level.

[REDACTED] The captioned investigation [REDACTED] the following NBCNews article referenced in [REDACTED]:

1. William Arkin, Ken Dilanian and Cynthia McFadden, "U.S. Officials: Putin Personally Involved in U.S. Election Hack," NBCNews.com (12/14/2017).

(U// [REDACTED] Point of Contact for [REDACTED] tigation is Special Agent [REDACTED], telephone number [REDACTED].

(U// [REDACTED] The FBIHQ/ [REDACTED] Point of Contact [REDACTED] the captioned matter is [REDACTED] rvisory Special Agent (SSA) [REDACTED].

Non-USPER:

Under DIOG Appendix G, Section 2.1, if a non-USPER, please provide a 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

### 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;

- [REDACTED]
- 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.
- ♦♦



**FEDERAL BUREAU OF INVESTIGATION**  
**Electronic Communication**

**Title:** (U) Request FBIHQ Concurrence to Close  
Captioned Case

**Date:** 02/25/2020

**From:** WASHINGTON FIELD

WF-

Con :

**Approved By:**

**Drafted By:**

**Case ID #:**

GENETIC CHRISTMAS;

MEDIA LEAK;

- VICTIM AGENCY;

UNSUB(S)

**Synopsis:** (U// Requests FBIHQ CD  
concurrence to close captioned case and provide closing LHM

**Reason:**

**Derived f**

**Declassify On:**

**Enclosure(s):** Enclosed are the following items:

1. (U// Closing LHM

**Details:**

**SUMMARY**

(U) WFO requests closure of the captioned investigation. In coordination with DC USAO, DOJ CES, and FBIHQ, WFO believes all logical investigative techniques have been exhausted.

**BACKGROUND**

[REDACTED]

Title: (U) Request FBIHQ Concurrence to Close Captioned Case  
Re: [REDACTED], 02/25/2020

[REDACTED] FBI Washington Field Office (WFO) opened GENETIC CHRISTMAS on 10/23/2017, based on [REDACTED], dated 25 August 2017, reporting the unauthorized disclosure of [REDACTED]

[REDACTED] classified information in an NBCNews.com article. According to the [REDACTED], the news article disclosed information contained in [REDACTED]

[REDACTED] Therefore WFO initiated a full investigation to identify a subject who committed an unauthorized public disclosure (UPD) of U.S. government classified information.

[REDACTED] The investigative team was read onto the [REDACTED] on 11/20/2017. [REDACTED]

#### **INVESTIGATIVE ACTIVITY COMPLETED**

##### **Determining Breadth of Dissemination and Subject Pool**

[REDACTED] At the onset of the investigation, WFO worked to determine how many people had access to the GENETIC CHRISTMAS information prior to its release, [REDACTED]

[REDACTED] On 11/28/2017, WFO [REDACTED] received a [REDACTED] from the [REDACTED] of [REDACTED] employees determined to have access to the information contained in the aforementioned [REDACTED]. WFO worked with FBI HQ to identify FBI employees with access to the information, which included a list of 46 FBI employees. Additionally, the three NBC reporters who published the article also had access, and possibly other staff or reporters.

[REDACTED] There are an unknown number of individuals, at least 15 based on names provided during interviews, who had access to the GENETIC CHRISTMAS information through verbal briefings and discussions. WFO investigators [REDACTED]

[REDACTED]

Title: (U) Request FBIHQ Concurrence to Close Captioned Case  
Re: [REDACTED], 02/25/2020

also determined the [REDACTED]  
[REDACTED]  
Approximately [REDACTED] additional people [REDACTED]  
[REDACTED] and case agents further determined individuals from [REDACTED]  
[REDACTED] would have had access to either the [REDACTED] or the information  
contained within the [REDACTED] via oral briefing. Case agents requested  
additional [REDACTED], but a comprehensive record for all those with  
access does not exist.

[REDACTED] Additionally, open source reporting revealed [REDACTED] conducted a  
presentation for U.S. senators in a closed door briefing sometime between  
November 28 and December 9, 2016, regarding their assessments of Russia's  
actions during the 2016 election cycle, which likely included information  
contained in the [REDACTED].

[REDACTED] Therefore, the investigation revealed an unquantifiable subject  
pool because there is no way fully determine the scope of dissemination  
of the GENETIC CHRISTMAS information prior to its release.

#### **Internal Audits of Communication Systems**

[REDACTED] WFO reviewed thousands of internal government email, call, and  
lync message records in coordination with case agents assigned to the  
other consolidated media leak cases at WFO, and case agents of other  
media leak investigations, to include the New York field office. The  
records have provided some background information for timeline purposes,  
but have yielded no additional investigative leads pertaining to the  
captioned investigation. Furthermore, it is unlikely the person or people  
who committed the unauthorized disclosure would have used their  
government facilities to pass the classified information. Given the large  
scope of both the subject pool and timeframe of interest, this  
investigative technique was not successful in narrowing down any persons  
of interest in the subject pool.

[REDACTED]

Title: (U) Request FBIHQ Concurrence to Close Captioned Case  
Re: [REDACTED], 02/25/2020

[REDACTED] WFO requested FBI [REDACTED] run all known facilities of the NBC reporters against all internal FBI communication systems to identify contact between the NBC reporters and any FBI employee. On 1/8/2018, WFO received the FBI [REDACTED] results and they were analyzed for lead value. No information of interest was discovered. On 11/5/2018, WFO also requested and received [REDACTED] pulls for all internal call logs for Bureau-issued devices belonging to nine of the top ranking FBI executives deemed to have access to the most consolidated leak material. The call logs were not only queried for known media selectors but analyzed for any suspicious patterns of behavior.

[REDACTED] On 2/18/2018, WFO requested [REDACTED]  
[REDACTED]  
[REDACTED] On or about 4/5/2018, the results [REDACTED]  
[REDACTED] were complete and available for analysis. WFO conducted a review and analysis of the results [REDACTED]. On 5/24/2018, WFO finished reviewing [REDACTED] for potential leads or evidence of unauthorized contact; none was discovered.

[REDACTED] On 1/7/2019, WFO reviewed information provided by the Department of Justice (DOJ) [REDACTED]. DOJ ran thirty (30) telephone numbers and seventeen (17) email addresses associated with members of the media who were involved with publishing leaked classified information. No additional leads were developed.

#### **Subject Pool Interviews**

[REDACTED] On 2/10/2018, WFO requested [REDACTED] permission to begin conducting subject pool interviews, [REDACTED]  
[REDACTED] Due to the sensitivity of the GENETIC CHRISTMAS information [REDACTED]  
[REDACTED]

[REDACTED]

Title: (U) Request FBIHQ Concurrence to Close Captioned Case  
Re: [REDACTED], 02/25/2020

Consequently, interviews were delayed until 5/1/2018. WFO also conducted subject pool interviews of FBI employees, however [REDACTED]  
[REDACTED] 34 interviews were conducted, which yielded no investigative leads to date. The subject pool interviews revealed the list of people who had access to the GENETIC CHRISTMAS information was much larger than estimated.

### **Open Source Analysis**

[REDACTED] WFO conducted open source searches for information related to the captioned investigation. Investigators conducted open source searches of any tangential news articles either by the same publication or written by the same reporters during the 2016 election cycle for additional leads. The case agent wrote a timeline of events attempting to encompass all relevant activity of involved actors in an effort to connect people and events with the alleged disclosure. Due to the voluminous reporting on Russia and Russian intelligence activities during the 2016 U.S. election cycle, it is difficult to parse out the articles from sheer speculation versus legitimate source reporting with various news outlets covering the same topic. However, no additional UPDs by the three named reporters were discovered. The UPD in the captioned investigation appears to have been a one-time disclosure, which affects the likelihood of identifying the subject.

[REDACTED] The GENETIC CHRISTMAS disclosure occurred on 12/14/16. The crime report was not signed until 8/25/17. Because the disclosure was not reported until well after its release, the investigation was hampered. Additionally, this particular unauthorized disclosure [REDACTED]  
[REDACTED] making it difficult to narrow down the subject pool to likely subjects or develop leads from the entire USIC community.



[REDACTED]  
Title: (U) Request FBIHQ Concurrence to Close Captioned Case  
Re: [REDACTED], 02/25/2020

### **Conclusion**

(U) Per the FBI Domestic Investigations and Operations Guide (DIOG), 7.12.1, sufficient personnel and resources were expended on the investigation and there are no outstanding leads, investigative techniques, or evidence. No further investigation is warranted because all logical investigative activity has been exhausted and WFO will pursue an administrative closing of the case.

(U) No leads were identified to pursue further investigation. Because there is no way to adequately narrow down the subject pool, additional investigative techniques will not be effective. There is insufficient evidence to pursue a search warrant on any individuals in the subject pool. Surveillance will not reveal past activity, nor will the recruitment of a CHS to assist investigators in narrowing down the subject pool. In coordination with DC USAO, DOJ CES, and FBI HQ, a decision was made not to pursue a media subpoena at this time. Based on the investigative activity conducted and the futility of future investigative steps, WFO recommends closing captioned case.

(U) The Closing Letterhead Memorandum is attached as a 1A package.

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



(U// [REDACTED]) Date: 2/24/2020

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

[REDACTED] Investigation: GENETIC CHRISTMAS

(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]) PI/FI Initiated/Converted: 10/23/2017

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

     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]

[REDACTED]

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 [REDACTED] 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, [REDACTED] 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] FBI Washington GENETIC CHRISTMAS on  
017, based on [REDACTED] 017,  
r ting the unautho [REDACTED]  
[REDACTED] classified information in an NBCNew the  
[REDACTED] ned  
[REDACTED], [REDACTED] tion  
[REDACTED] committed an unauthorized public disclosure  
(UPD) of U.S. government classified information.

□ □ □ □ □

(U) WFO requests closure of the captioned investigation. In coordination with DC USAO, DOJ CES, and FBIHQ, WFO believes all logical investigative techniques have been exhausted.

## Determining Breadth of Dissemination and Subject Pool

[REDACTED]

[REDACTED] At the onset of the investigation, WFO worked to determine how people had access to its [REDACTED] information. [REDACTED] employees determined [REDACTED] have access to [REDACTED] information contained in the aforementioned [REDACTED]. WFO worked with FBI HQ to identify FBI employees with access to the [REDACTED] information, which included a list of 46 FBI employees. Additionally, the three NBC reporters who published the article also had access, and possibly other staff or reporters.

[REDACTED] There are an unknown number of individuals, at least 15 based on [REDACTED] provided during interviews, who had access to the GENETIC CHRISTMAS information through [REDACTED].

[REDACTED] Case agents further [REDACTED] would have had access to either the [REDACTED] or the information [REDACTED] via oral briefing. Case agents requested [REDACTED] but a comprehensive record for all those with [REDACTED]

[REDACTED] Additionally, open source reporting revealed [REDACTED] conducted a [REDACTED] information for U.S. senators in a closed door briefing [REDACTED] time between November 28 and December 9, 2016, regarding their assessments of Russia's actions during the 2016 election cycle, which likely included information contained in the [REDACTED].

[REDACTED] Therefore, the investigation revealed an unquantifiable subject [REDACTED] cause there is no way fully determine the scope of dissemination of the GENETIC CHRISTMAS information before its release.

### **Internal Audits of Communication Systems**

[REDACTED] WFO reviewed thousands of internal government email, call, and message records in coordination with case agents assigned to the other consolidated media leak cases at WFO, and case agents of other media leak investigations, to include the New York field office. The records have provided some background information for timeline purposes, but have yielded no additional investigative leads pertaining to the captioned investigation. Furthermore, it is unlikely the person or people who committed the unauthorized disclosures would have used their government facilities to contact reporters. Given the large scope of both the subject pool and timeframe of interest, this investigative technique was not successful in narrowing down any persons of interest in the subject pool.

[REDACTED] WFO requested FBI [REDACTED] run  
own facilities of the [REDACTED]  
communication systems to identify contact between the [REDACTED] C reporters and  
any FBI employee. On 1/8/2018, WFO received the FBI [REDACTED] results and they  
were analyzed for lead value. No information of [REDACTED] was discovered.  
On 11/5/2018, WFO also requested and received [REDACTED] pulls for all internal  
call logs for Bureau-issued devices belonging [REDACTED] line of the top ranking  
FBI executives deemed to have access to the most consolidated leak  
material. The call logs were not only queried for known media selectors  
but analyzed for any suspicious patterns of behavior.

[REDACTED]  
[REDACTED] and availa  
analysis of the results [REDACTED]. On 5/24/2018,  
WFO finished reviewing [REDACTED] leads or evidence  
of unauthorized contact [REDACTED] red.

[REDACTED] On 1/7 [REDACTED] the Department of  
(DOJ) [REDACTED]. DOJ ran thirty  
(30) telephone [REDACTED] es associated with  
members of the media who were involved with publishing leaked classified  
information. No additional leads were developed.

### Subject Pool Interviews

[REDACTED] On 2/10/2018, WFO [REDACTED]  
[REDACTED] iews, [REDACTED]  
[REDACTED] [REDACTED] until  
[REDACTED] es,  
however [REDACTED]  
[REDACTED] resented  
[REDACTED] given their current access and involvement in  
simultaneous investigations with overlapping subject matter. 34 interviews  
were conducted, which yielded no investigative leads to date. The subject  
pool interviews revealed the list of people who had access to the GENETIC  
CHRISTMAS information was larger than estimated.

### Open Source Analysis

[REDACTED] WFO conducted open source searches for information related to the [REDACTED] investigation. Investigators conducted open source searches of any tangential news articles either by the same publication or written by the same reporters during the 2016 election cycle for additional leads. The case agent wrote a timeline of events attempting to encompass all relevant activity of involved actors in an effort to connect people and events with the alleged disclosure. Due to the voluminous reporting on Russia and Russian intelligence activities during the 2016 U.S. election cycle, it is difficult to parse out the articles from sheer speculation versus legitimate source reporting with various news outlets covering the same topic. However, no additional UPDs by the three named reporters were discovered. The UPD in the captioned investigation appears to have been a one-time disclosure, which affects the likelihood of identifying the subject.

[REDACTED] The GENETIC CHRISTMAS disclosure occurred on 12/14/16. The crime was not signed until 8/25/17. Because the disclosure was not reported until well after its release, the investigation [REDACTED] sure is [REDACTED] making [REDACTED] to [REDACTED] or develop leads from the entire USIC community.

## Conclusion

(U) Per the FBI Domestic Investigations and Operations Guide (DIOG), 7.12.1, sufficient personnel and resources were expended on the investigation and there are no outstanding leads, investigative techniques, or evidence. No further investigation is warranted because all logical investigative activity has been exhausted and WFO will pursue an administrative closing of the case.

(U) No leads were identified to pursue further investigation. Because there is no way to adequately narrow down the subject pool, additional investigative techniques will not be effective. There is insufficient evidence to pursue a search warrant on any individuals in the subject pool. Surveillance will not reveal past activity, nor will the recruitment of a CHS to assist investigators in narrowing down the subject pool. In coordination with DC USAO, DOJ CES, and FBI HQ, a decision was made not to pursue a media subpoena at this time. Based on the investigative activity conducted and the futility of future investigative steps, WFO recommends closing captioned case.

Case Agent assigned to this matter is SA [REDACTED],

[REDACTED].♦♦



**FEDERAL BUREAU OF INVESTIGATION**  
**Electronic Communication**

**Title:** (U// [REDACTED]) CASE CLOSING CONCURRENCE

**Date:** 03/16/2020

**CC:** [REDACTED]

**From:** COUNTERINTELLIGENCE  
[REDACTED]

**Approved By:** UC [REDACTED]

**Drafted By:** [REDACTED]

**Case ID #:** [REDACTED] GENETIC CHRISTMAS;  
[REDACTED] LEAK;  
[REDACTED] - VICTIM AGENCY;  
[REDACTED] UNSUB(S)

**Synopsis:** (U// [REDACTED]) To Document CD-[REDACTED] Concurrence to Close Captioned Investigation

**Reason:** [REDACTED]

**Defy On:** [REDACTED]

**Reference:** [REDACTED]

**Enclosure(s):** Enclosed are the following items:

1. [REDACTED] CLOSING LHM GENETIC CHRISTMAS

**Details:**

(U// [REDACTED]) Based on the information below, this communication provides

[REDACTED]

[REDACTED]

Title: (U// [REDACTED] CASE CLOSING CONCURRENCE  
Re: [REDACTED], 03/16/2020

Section Chief concurrence to close the captioned investigation in accordance with Domestic Investigations and Operations Guide (DIOG) 7.12 and Counterintelligence Policy Guide (CD PG) 3.7.

[REDACTED] FBI Washington Field Office (WFO) opened GENETIC CHRISTMAS on 10/23/2017, based on [REDACTED], dated 25 August 2017, reporting the unauthorized disclosure of [REDACTED] classified information in an NBCNews.com article. According to the [REDACTED], the news article disclosed information contained in [REDACTED], [REDACTED]. Therefore WFO initiated a full investigation to identify a subject who committed an unauthorized public disclosure (UPD) of U.S. government classified information.

The investigative team was read onto the [REDACTED] on 11/20/2017. [REDACTED]

[REDACTED]

#### **INVESTIGATIVE ACTIVITY COMPLETED**

##### **Determining Breadth of Dissemination and Subject Pool**

[REDACTED] At the onset of the investigation, WFO worked to determine how many individuals had access to the GENETIC CHRISTMAS information prior to its release, [REDACTED]. On 11/28/2017, WFO [REDACTED] received a [REDACTED] from the [REDACTED] of [REDACTED] employees determined to have access to the information contained in the aforementioned [REDACTED]. WFO worked with FBI HQ to identify FBI employees with access to the information, which included a list of 46 FBI employees. Additionally, the three NBC reporters who published the article also had access, and possibly other staff or reporters.



[REDACTED]

Title: (U// [REDACTED] CASE CLOSING CONCURRENCE  
Re: [REDACTED], 03/16/2020

[REDACTED] There are an unknown number of individuals, at least 15 based on names provided during interviews, who had access to the GENETIC CHRISTMAS information through verbal briefings and discussions. WFO investigators also determined the [REDACTED]

Approximately [REDACTED] additional people [REDACTED] and case agents further determined individuals from [REDACTED] would have had access to either the [REDACTED] or the information contained within the [REDACTED] via oral briefing. Case agents requested [REDACTED], but a comprehensive record for all those with access does not exist.

[REDACTED] Additionally, open source reporting revealed [REDACTED] conducted a presentation for U.S. senators in a closed door briefing sometime between November 28 and December 9, 2016, regarding their assessments of Russia's actions during the 2016 election cycle, which likely included information contained in the [REDACTED].

[REDACTED] Therefore, the investigation revealed an unquantifiable subject pool because there is no way fully determine the scope of dissemination of the GENETIC CHRISTMAS information prior to its release.

#### **Internal Audits of Communication Systems**

[REDACTED] WFO reviewed thousands of internal government email, call, and lync message records in coordination with case agents assigned to the other consolidated media leak cases at WFO, and case agents of other media leak investigations, to include the New York field office. The records have provided some background information for timeline purposes, but have yielded no additional investigative leads pertaining to the captioned investigation. Furthermore, it is unlikely the person or people who committed the unauthorized disclosure would have used their government facilities to pass the classified information. Given the large

[REDACTED]

Title: (U// [REDACTED] CASE CLOSING CONCURRENCE  
Re: [REDACTED], 03/16/2020

scope of both the subject pool and timeframe of interest, this investigative technique was not successful in narrowing down any persons of interest in the subject pool.

[REDACTED] WFO requested FBI [REDACTED] run all known facilities of the NBC reporters against all internal FBI communication systems to identify contact between the NBC reporters and any FBI employee. On 1/8/2018, WFO received the FBI [REDACTED] results and they were analyzed for lead value. No information of interest was discovered. On 11/5/2018, WFO also requested and received [REDACTED] pulls for all internal call logs for Bureau-issued devices belonging to nine of the top ranking FBI executives deemed to have access to the most consolidated leak material. The call logs were not only queried for known media selectors but analyzed for any suspicious patterns of behavior.

[REDACTED] On 2/18/2018, WFO requested [REDACTED]  
[REDACTED]  
[REDACTED]. On or about 4/5/2018, the results [REDACTED] [REDACTED] were complete and available for analysis. WFO conducted a review and analysis of the results [REDACTED]. On 5/24/2018, WFO finished reviewing [REDACTED] for potential leads or evidence of unauthorized contact; none was discovered.

[REDACTED] On 1/7/2019, WFO reviewed information provided by the Department of Justice (DOJ) [REDACTED]. DOJ ran thirty (30) telephone numbers and seventeen (17) email addresses associated with members of the media who were involved with publishing leaked classified information. No additional leads were developed.

#### **Subject Pool Interviews**

[REDACTED] On 2/10/2018, WFO requested [REDACTED] permission to begin conducting

[REDACTED]

[REDACTED]

Title: (U// [REDACTED] CASE CLOSING CONCURRENCE  
Re: [REDACTED], 03/16/2020

subject pool interviews, [REDACTED] Due  
to the sensitivity of the GENETIC CHRISTMAS information [REDACTED]  
[REDACTED]  
Consequently, interviews were delayed until 5/1/2018. WFO also conducted  
subject pool interviews of FBI employees, however [REDACTED]  
[REDACTED] 34 interviews were  
conducted, which yielded no investigative leads to date. The subject pool  
interviews revealed the list of people who had access to the GENETIC  
CHRISTMAS information was much larger than estimated.

#### **Open Source Analysis**

[REDACTED] WFO conducted open source searches for information related to the  
captioned investigation. Investigators conducted open source searches of  
any tangential news articles either by the same publication or written by  
the same reporters during the 2016 election cycle for additional leads.  
The case agent wrote a timeline of events attempting to encompass all  
relevant activity of involved actors in an effort to connect people and  
events with the alleged disclosure. Due to the voluminous reporting on  
Russia and Russian intelligence activities during the 2016 U.S. election  
cycle, it is difficult to parse out the articles from sheer speculation  
versus legitimate source reporting with various news outlets covering the  
same topic. However, no additional UPDs by the three named reporters were  
discovered. The UPD in the captioned investigation appears to have been a  
one-time disclosure, which affects the likelihood of identifying the  
subject.

[REDACTED] The GENETIC CHRISTMAS disclosure occurred on 12/14/16. The crime  
report was not signed until 8/25/17. Because the disclosure was not  
reported until well after its release, the investigation was hampered.

[REDACTED]

Title: (U// [REDACTED]) CASE CLOSING CONCURRENCE  
Re: [REDACTED], 03/16/2020

Additionally, this particular unauthorized disclosure [REDACTED]  
[REDACTED] making it difficult to  
narrow down the subject pool to likely subjects or develop leads from the  
entire USIC community.

### **Conclusion**

(U// [REDACTED]) Per the FBI Domestic Investigations and Operations Guide (DIOG),  
7.12.1, sufficient personnel and resources were expended on the  
investigation and there are no outstanding leads, investigative  
techniques, or evidence. No further investigation is warranted because  
all logical investigative activity has been exhausted and WFO will pursue  
an administrative closing of the case.

(U// [REDACTED]) No leads were identified to pursue further investigation.  
Because there is no way to adequately narrow down the subject pool,  
additional investigative techniques will not be effective. There is  
insufficient evidence to pursue a search warrant on any individuals in  
the subject pool. Surveillance will not reveal past activity, nor will  
the recruitment of a CHS to assist investigators in narrowing down the  
subject pool. In coordination with DC USAO, DOJ CES, and FBI HQ, a  
decision was made not to pursue a media subpoena at this time. Based on  
the investigative activity conducted and the futility of future  
investigative steps, WFO recommends closing captioned case.

(U) The Closing Letterhead Memorandum is attached as a 1A package.

◆◆

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



(U// [REDACTED]) Date: 2/24/2020

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

[REDACTED] Investigation: GENETIC CHRISTMAS

(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]) PI/FI Initiated/Converted: 10/23/2017

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

     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]

1. *What is the purpose of this study?*  
 2. *What are the research objectives?*  
 3. *What are the research questions?*  
 4. *What are the hypotheses?*  
 5. *What are the variables?*  
 6. *What are the independent and dependent variables?*  
 7. *What are the control variables?*  
 8. *What are the confounding variables?*  
 9. *What are the limitations of the study?*  
 10. *What are the strengths of the study?*  
 11. *What are the contributions of the study?*  
 12. *What are the implications of the study?*  
 13. *What are the conclusions of the study?*  
 14. *What are the recommendations of the study?*  
 15. *What are the future research directions?*

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]

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[REDACTED] FBI Washington GENETIC CHRISTMAS on  
[REDACTED] 017, based on [REDACTED] 017,  
r [REDACTED] ting the unautho [REDACTED]  
[REDACTED] classified information in an NBCNew [REDACTED] the  
[REDACTED] ned  
[REDACTED], [REDACTED] tion  
[REDACTED] committed an unauthorized public disclosure  
(UPD) of U.S. government classified information.

[REDACTED] At the onset of the investigation, WFO worked to determine how [REDACTED]  
op [REDACTED] to its [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] employees determined [REDACTED] have access t [REDACTED]  
informati [REDACTED] cont [REDACTED] in the aforementioned [REDACTED]. WFO worked with FBI HQ  
to identify FBI employees with access to the [REDACTED] information, which included a  
list of 46 FBI employees. Additionally, the three NBC reporters who

[REDACTED]

published the article also had access, and possibly other staff or reporters.

[REDACTED] There are an unknown number of individuals, at least 15 based on [REDACTED] provided during interviews, who had access to the GENETIC CHRISTMAS information through [REDACTED] d [REDACTED]

[REDACTED] a [REDACTED] case agents further [REDACTED] would have had access to either the [REDACTED] or the info [REDACTED] on [REDACTED] via oral briefing. Case [REDACTED] nts requested [REDACTED] but a comprehensive record for all those with [REDACTED]

[REDACTED] Additionally, open source reporting revealed [REDACTED] conducted a [REDACTED] ation for U.S. senators in a closed door brief [REDACTED] time between November 28 and December 9, 2016, regarding their assessments of Russia's actions during the 2016 election cycle, which likely included information contained in the CIOL.

[REDACTED] Therefore, the investigation revealed an unquantifiable subject [REDACTED] cause there is no way fully determine the scope of dissemination of the GENETIC CHRISTMAS information before its release.

[REDACTED] *Conclusion:*

[REDACTED] WFO reviewed thousands of internal government email, call, and [REDACTED] ssage records in coordination with case agents assigned to the other consolidated media leak cases at WFO, and case agents of other media leak investigations, to include the New York field office. The records have provided some background information for timeline purposes, but have yielded no additional investigative leads pertaining to the captioned investigation. Furthermore, it is unlikely the person or people who committed the unauthorized disclosures would have used their government facilities to contact reporters. Given the large scope of both the subject pool and timeframe of interest, this investigative technique was not successful in narrowing down any persons of interest in the subject pool.

[REDACTED] WFO requested FBI [REDACTED] run [REDACTED] wn facilities of th [REDACTED] communication systems to identify contact between th [REDACTED] C reporters and any FBI employee. On 1/8/2018, WFO received the FBI [REDACTED] results and they were analyzed for lead value. No information o [REDACTED] te [REDACTED] was discovered. On 11/5/2018, WFO also requested and received [REDACTED] pulls for all internal call logs for Bureau-issued devices belonging [REDACTED] ine of the top ranking [REDACTED]

[REDACTED]

FBI executives deemed to have access to the most consolidated leak material. The call logs were not only queried for known media selectors but analyzed for any suspicious patterns of behavior.

[REDACTED]

[REDACTED] and available analysis of the results [REDACTED]. On 5/24/2018, WFO finished reviewing [REDACTED] leads or evidence of unauthorized contact [REDACTED] red.

[REDACTED] On 1/7 [REDACTED] the Department of (DOJ) [REDACTED]. DOJ ran thirty (30) telephone [REDACTED] es associated with members of the media who were involved with publishing leaked classified information. No additional leads were developed.

### Subject Pool Interviews

[REDACTED] On 2/10/2018, WFO [REDACTED] interviews, [REDACTED]  
[REDACTED], [REDACTED] until [REDACTED] es,  
[REDACTED] resented [REDACTED]  
[REDACTED] given their current access and involvement in simultaneous investigations with overlapping subject matter. 34 interviews were conducted, which yielded no investigative leads to date. The subject pool interviews revealed the list of people who had access to the GENETIC CHRISTMAS information was larger than estimated.

[REDACTED] WFO conducted open source searches for information related to the [REDACTED] ed investigation. Investigators conducted open source searches of any tangential news articles either by the same publication or written by the same reporters during the 2016 election cycle for additional leads. The case agent wrote a timeline of events attempting to encompass all relevant activity of involved actors in an effort to connect people and events with the alleged disclosure. Due to the voluminous reporting on Russia and Russian intelligence activities during the 2016 U.S. election cycle, it is difficult to parse out the articles from sheer speculation versus legitimate source reporting with various news outlets covering the [REDACTED]



[REDACTED]

same topic. However, no additional UPDs by the three named reporters were discovered. The UPD in the captioned investigation appears to have been a one-time disclosure, which affects the likelihood of identifying the subject.

[REDACTED] The GENETIC CHRISTMAS disclosure occurred on 12/14/16. The crime was not signed until 8/25/17. Because the disclosure was not reported until well after its release, the investigation [REDACTED] disclosure [REDACTED] [REDACTED], making [REDACTED] to or develop leads from the entire USIC community.

(U// [REDACTED]) Per the FBI Domestic Investigations and Operations Guide (DIOG), 7.1 [REDACTED], sufficient personnel and resources were expended on the investigation and there are no outstanding leads, investigative techniques, or evidence. No further investigation is warranted because all logical investigative activity has been exhausted and WFO will pursue an administrative closing of the case.

(U// [REDACTED]) No leads were identified to pursue further investigation. Because [REDACTED] there is no way to adequately narrow down the subject pool, additional investigative techniques will not be effective. There is insufficient evidence to pursue a search warrant on any individuals in the subject pool. Surveillance will not reveal past activity, nor will the recruitment of a CHS to assist investigators in narrowing down the subject pool. In coordination with DC USAO, DOJ CES, and FBI HQ, a decision was made not to pursue a media subpoena at this time. Based on the investigative activity conducted and the futility of future investigative steps, WFO recommends closing captioned case.

[REDACTED] T [REDACTED] int of contact for this investigation is SA [REDACTED]  
[REDACTED], [REDACTED].



**FEDERAL BUREAU OF INVESTIGATION**  
**Electronic Communication**

**Title:** [REDACTED] Case Closing EC

**Date:** 04/16/2020

**From:** WASHINGTON FIELD

WF-[REDACTED]

**Con:** [REDACTED], [REDACTED]

**Approved By:** [REDACTED]

**Drafted By:** [REDACTED]

**Case ID #:** [REDACTED] [REDACTED] GENETIC CHRISTMAS;  
[REDACTED] LEAK;  
[REDACTED] - VICTIM AGENCY;  
[REDACTED] UNSUB(S)

**Synopsis:** [REDACTED] To close case

**Reason:** [REDACTED]

**Derived From:** [REDACTED]

**Declassify On:** [REDACTED]

**Details:**

See captioned case [REDACTED] for details on case closing.

♦♦



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## FEDERAL BUREAU OF INVESTIGATION

Date of entry 11/13/2019

(U) [REDACTED], date of birth [REDACTED], was interviewed at Not Your Average Joe's, 1845 Fountain Dr, Reston, VA 20190. After being advised of the identity of the interviewing Agents and the nature of the interview, [REDACTED] provided the following information:

(U) Since leaving House Permanent Select Committee on Intelligence (HPSCI), [REDACTED] has encountered various HPSCI staffers at various times, but these encounters were not significant. The encounters were cordial. Almost all of the staffers who he worked with on HPSCI are still with HPSCI, except for [REDACTED], who has left HPSCI. [REDACTED]'s successor on HPSCI was [REDACTED] who has since left the position. [REDACTED] did not agree with a HPSCI member on something, which put him in a tough spot.

(U) [REDACTED], who is a HPSCI staffer, likely provided guidance and instruction to HPSCI staffers regarding media contact, in particular, they were not authorized to have such contact. [REDACTED] did not know if [REDACTED] received guidance or instruction regarding media contact while [REDACTED] was HPSCI Staff Director. [REDACTED] probably pushed back on this because he did not like this policy. It is possible [REDACTED] was authorized to have media contact. The HPSCI rules would specify whether media contact is authorized and who is authorized to have such contact.

(U) [REDACTED], who is the [REDACTED], likely has the non-disclosure agreements (NDAs) that were signed by HPSCI members and staffers. She is an employee of the House of Representatives, not of a particular Representative or Committee, such as HPSCI. It is possible the [REDACTED] or FBI also have the NDAs since they maintain records of TOP SECRET or SCI access. [REDACTED] could instruct [REDACTED] to grant access to classified information for a particular staffer.

(U) According to the ethics rules of the House of Representatives, there is

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Investigation on 11/04/2019 at Reston, Virginia, United States (In Person)File # [REDACTED] Date drafted 11/06/2019by [REDACTED], [REDACTED]

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Continuation of FD-302 of (U) Interview of [REDACTED], On 11/04/2019, Page 2 of 2

to be no contact between current and former staffers for one year after a staffer leaves the House of Representatives. These ethics rules allow for criminal prosecution in case of ethics violations, however the House of Representatives must vote to forward the ethics violations to a prosecutor.

*[(U) Note - [REDACTED] recounted information regarding potential unauthorized public disclosures of classified information, which he previously provided to the FBI on August 2, 2017 and December 5, 2017. See [REDACTED] and [REDACTED].]*

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FBI-HJC119-SL-000144



## FEDERAL BUREAU OF INVESTIGATION

Date of entry 06/28/2023

(U//FOUO) [REDACTED] [Protect Identity], Date of Birth (DOB) [REDACTED], was interviewed at the Marriott St. Louis Grand Hotel, located at 800 Washington Avenue, St. Louis, Missouri (MO) 63101, by Special Agents (SA) [REDACTED] and SA [REDACTED]. After being advised of the identity of the interviewing Agents and the nature of the interview, [REDACTED] provided the following information:

(U//FOUO) [REDACTED] previously had a positive experience working with the Federal Bureau of Investigation (FBI), related to incidents in 2017 that occurred when [REDACTED] worked on the United States (U.S.) House of Representatives Permanent Select Committee on Intelligence. In this position, [REDACTED] worked with senior political leaders from both major political parties including Congressman Adam SCHIFF and former Congressman Devin NUNES. [REDACTED] was friends with both SCHIFF and NUNES.

(U//FOUO) When working in this capacity, [REDACTED] was called to an all-staff meeting by SCHIFF. In this meeting, SCHIFF stated the group would leak classified information which was derogatory to President of the United States Donald J. TRUMP. SCHIFF stated the information would be used to Indict President TRUMP. [REDACTED] stated this would be illegal and, upon hearing his concerns, unnamed members of the meeting reassured [REDACTED] that they would not be caught leaking classified information.

(U//FOUO) [REDACTED] was, again, approached about leaking classified information in a separate meeting by unnamed individuals. [REDACTED] believed this activity to be unethical and treasonous. [REDACTED] was concerned about the discussions and, as a result, reached out to contacts from his prior [REDACTED] ([REDACTED]) employment for guidance on where to report this experience. These discussions led [REDACTED] to contact the FBI regarding his concerns. [REDACTED] had several conversations with two (2) unnamed FBI agents related to the matter and was eventually invited to attend a mock

Reason: [REDACTED]

Derived From: [REDACTED]

Declassify On: [REDACTED]

Investigation on 05/23/2023 at St. Louis, Missouri, United States (In Person)File # [REDACTED] Date drafted 06/05/2023by [REDACTED], [REDACTED]

[REDACTED]

[REDACTED]

Continuation of FD-302 of (U//FOUO) Interview with [REDACTED], On 05/23/2023, Page 2 of 2

grand jury hearing with the United States Department of Justice (DOJ).

[REDACTED] was advised not to bring his attorney to this meeting. However, [REDACTED] invited the two (2) FBI agents he worked with to attend this event.

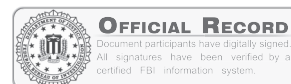
(U//FOUO) [REDACTED] was eventually informed that the issue would not be investigated further by the DOJ, as Congressmen have immunity to all speech and actions made on the floor of the U.S. House of Representatives. [REDACTED] did not believe that the activity he witnessed would be protected by this legal provision.

Identifiers for [REDACTED] are as follows:

Address: [REDACTED]

Email: [REDACTED]

Phone Number: [REDACTED]



**FEDERAL BUREAU OF INVESTIGATION**  
**Electronic Communication**

**Title:** ( ) Call with FBI Special Agent

**Date:** 10/18/2017

**From:** WASHINGTON FIELD

WF-

**Contact:**

**Approved By:** A/SSA

**Drafted By:**

**Case ID #:**

( ) BURIED LEAD;  
SENSITIVE INVESTIGATIVE MATTER (SIM);  
MEDIA LEAK;  
- VICTIM AGENCY;  
OO: WFO

**Synopsis:** ( ) To document a call with SA on 6  
October 2017

**Reason:**

**Derived From:**

**Declassify On:**

**Details:**

( ) On 6 October 2017, writer was contacted via Microsoft Lync by , a Supervisory Special Agent and an FBI liaison to the House Permanent Select Committee on Intelligence (HPSCI).

volunteered the following information:

( ) Earlier that day, had spoken with an unnamed Republican staffer for HPSCI (the "Staffer") who described the sudden firing of a minority staffer named . The Staffer told that , who had worked for the committee for about twelve years and handled much of the technology used by the minority, was suddenly fired due to a perceived lack of party loyalty. The

**SECRET//NOFORN**

Title: ( ) Call with FBI Special Agent  
Re: , 10/18/2017

rationale sounded plausible to the Staffer and, on 's last day, the Staffer went to to express his sympathy. In response, told the Staffer that he had been fired because there was an expectation of leaking and he refused to participate. described a systematic process through which leaks were effected. The Staffer did not press for details.

( ) According to the account given to , the Staffer met with for a drink later that evening, during which provided the same detailed description of the leaking process within the HPSCI minority. emphasized that this was not a one-time thing. Under the system established by , notes would be run up to the ranking member, ADAM SCHIFF, after which a decision was made as to who would leak the information. alleged that this process remained in place under the Minority Staff Director who succeeded , though two other minority staffers- and -also refused to leak.

( ) According to , operates a company called , telephone number , e-mail address , mailing address .

(U) The account provided above was documented by writer via typed notes taken in real-time during the conversation with . Accordingly, there are no original handwritten notes.

♦♦





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## FEDERAL BUREAU OF INVESTIGATION

Date of entry 12/19/2017

(U//FOUO) On 5 December 2017, Special Agents [REDACTED] and [REDACTED] interviewed [REDACTED] [REDACTED] TY], number (SSN) [REDACTED] his residence, [REDACTED]. The interviewing Agents advised [REDACTED] of their identities and the voluntary nature of the interview. [REDACTED] then signed a classified non-disclosure agreement and provided the following information:

(U//FOUO) [REDACTED] is a former staffer for the U.S. House of Representatives Permanent Select Committee on Intelligence (HPSCI). Prior to joining HPSCI in 2005, [REDACTED] worked in the U.S. Intelligence Community (USIC) for 23 years, including time spent with the [REDACTED] ([REDACTED]). [REDACTED], a democratic staffer, most recently worked under the HPSCI minority's ranking member, ADAM SCHIFF. As an intelligence advisor to the committee, [REDACTED] educated members and other staffers on technical collection methods, USIC functioning, and even assisted in drafting authorization bills for agencies including the [REDACTED], the [REDACTED] ([REDACTED]), and the [REDACTED] ([REDACTED]). Though [REDACTED]'s role with HPSCI did not generally include direct interaction with the news media, he did occasionally sit-in during interviews of committee members to ensure that no classified information was mistakenly divulged.

(U//FOUO) According to [REDACTED], the HPSCI work environment started to change around August 2016 as the U.S. presidential election approached. [REDACTED] recalled a particular staff meeting in September 2016 which was led by then-minority staff director [REDACTED] and staffer [REDACTED]. As [REDACTED] and [REDACTED] addressed the other minority staffers, they acknowledged that they had been in contact with unnamed journalists and had provided "on background" their impressions of Russian activity surrounding the upcoming election. [REDACTED] understood their use of the term "on background" to mean that [REDACTED] and [REDACTED] had provided information to the media with the understanding that it would be published, provided that there would be no reference to the source

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Investigation on 12/05/2017 at Sterling, Virginia, United States (In Person)File # [REDACTED] Date drafted 12/08/2017by [REDACTED], [REDACTED]

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Continuation of FD-302 of (U) Interview of [REDACTED], On 12/05/2017, Page 2 of 5

of the information. [REDACTED] reminded them that HPSCI policy prohibited staffers from speaking with the media, on background or otherwise. Nevertheless, [REDACTED] noted that journalists would routinely call the HPSCI offices and ask for staffers by name. On one occasion, [REDACTED] answered a call from DAN (LNU) from NBC News who specifically asked to speak with [REDACTED] or [REDACTED]. This upset [REDACTED], who told [REDACTED] (LNU) that no one was available to speak with him.

(U//FOUO) Following the U.S. presidential election in November 2016, the mood within HPSCI was indescribable, said [REDACTED]. Ranking member SCHIFF was particularly upset, as he [REDACTED] he would have been appointed as the Director of CIA had candidate HILLARY CLINTON won the election. The HPSCI minority viewed the election and its aftermath as a constitutional crisis and, by February 2017, [REDACTED] stated that all hell broke loose. During a meeting on 13 February 2017, [REDACTED] instructed the staff that he wanted to drive the "Russian involvement" issue into a joint inquiry, similar to the 9/11 commission. To do so, [REDACTED] instructed the staffers to use any sources they had developed within the USIC to gather information, which would then be made public through the media in order to compel public opinion. According to [REDACTED], this was an explicit request to gather classified information for public disclosure. After the meeting, [REDACTED] approached [REDACTED] and asked [REDACTED] to reach out to his contacts at [REDACTED] in order to collect information on MICHAEL FLYNN's contact [REDACTED] in Russia. [REDACTED] tried to deflect the request by telling [REDACTED] that such information was likely held by the Federal Bureau of Investigation (FBI). [REDACTED] nonetheless asked [REDACTED] again, to which [REDACTED] said he would give it a try, though he never actually reached out to his [REDACTED] contacts. [REDACTED] documented the meeting with his own notes and, the next day, sent himself an e-mail detailing what had happened. [Writer's Note: [REDACTED] provided the interviewing Agents with copies of both his handwritten notes and the e-mail.]

(U//FOUO) Around the time of the February 2017 meeting, [REDACTED] had assisted in drafting a request to [REDACTED] for materials related to the "Russian involvement" issue. In response, the [REDACTED] made available to HPSCI over one-thousand documents, some of which were maintained in a read-room at [REDACTED]. According to [REDACTED], the [REDACTED]'s production of materials was facilitated at least in part by one [REDACTED]. In spite of his involvement with drafting the request, [REDACTED] advised that he did not want access to the requested information. Later, around April 2017, a read-room was

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FBI-HJC119-SL-000150

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Continuation of FD-302 of (U) Interview of [REDACTED], On 12/05/2017, Page 3 of 5

[REDACTED] established at [REDACTED] in which [REDACTED] materials were made available to committee members and certain staff—though [REDACTED] again recused himself from viewing these materials. With [REDACTED]'s minority staff, a "Russia team" was established, which initially consisted of [REDACTED], [REDACTED], and [REDACTED]. The team would visit [REDACTED] view the [REDACTED] materials, and return to HPSCI's offices where they would immediately compose summaries on a stand-alone computer. This stand-alone computer, which was set up by the committee's network administrator, [REDACTED], was situated in one of the backrooms in the HPSCI office space. Though the room itself was accessible to all staffers, the stand-alone computer was reserved for use only by the Russia team members. After the team would return from the read room and compose their notes, they would brief certain other staffers, including [REDACTED], [REDACTED], [REDACTED], [REDACTED], and SCHIFF's communications director, [REDACTED]. [REDACTED] was not included in these briefings.

(U//FOUO) [REDACTED] noted concerns he had about various staffers who were briefed on the Russia matter. [REDACTED] was brought to the committee by [REDACTED], and the two developed a close relationship [REDACTED] together and meeting privately. After [REDACTED] left the committee in the summer of 2017, [REDACTED] acknowledged that the two stayed in contact and discussed matters involving HPSCI. [REDACTED] felt that [REDACTED] functioned as [REDACTED]'s insider at the committee and, on at least one occasion, [REDACTED] warned [REDACTED] that committee rules prohibited communication with former [REDACTED]ers on official matters. This continued correspondence was particularly alerting given [REDACTED]'s previous concerns with [REDACTED]. [REDACTED] recalled a particular incident that occurred shortly after [REDACTED] joined the HPSCI staff. In the aim of facilitating [REDACTED]'s transition, [REDACTED] shared certain information with [REDACTED] concerning [REDACTED] tive intelligence matter for which the committee exercised oversight. Upon receiving the information, [REDACTED] insisted to [REDACTED] that the information must be shared with [REDACTED] articular for [REDACTED] vernment. [REDACTED] advised [REDACTED] that the information could not be shared and later reported the incident to HPSCI's [REDACTED], [REDACTED]. Before [REDACTED] left the committee, [REDACTED] overheard [REDACTED] tell other staffers on more than one occasion that he would use his spouse's phone to make calls, which [REDACTED] believed was a purposeful measure to conceal his activity.

UNCLASSIFIED//FOUO

FBI-HJC119-SL-000151

UNCLASSIFIED//FOUO

Continuation of FD-302 of (U) Interview of [REDACTED], On 12/05/2017, Page 4 of 5

(U//FOUO) [REDACTED] was also uncomfortable with [REDACTED]'s involvement in the Russia briefings, as [REDACTED] believed that [REDACTED] did not have the appropriate clearance to be briefed on the matter. [REDACTED], whose desk was located just outside the backroom in which the Russia briefings were held, noted that [REDACTED] was always coming and going and, after one such briefing, heard SCHIFF ask whether [REDACTED] "was on board." [REDACTED] believed that the other communications staff were upset with [REDACTED] because of his involvement with leaks to the press. [REDACTED] viewed [REDACTED] as an orchestrator of the leaks and even heard [REDACTED] remark that he was able to tell who had provided certain pie [REDACTED] information to the press.

(U//FOUO) In or around April 2017, [REDACTED] had become very uncomfortable with the rampant leaking and, having already raised the issue with [REDACTED], he contacted [REDACTED], who previously served as the [REDACTED]'s Inspector General. [REDACTED] put [REDACTED] in touch with [REDACTED] (LNU), the acting [REDACTED] IG, which precipitated [REDACTED]'s eventual meeting with the FBI. Around the same time, a particular leak caused [REDACTED] to confront HPSCI on the issue. According to [REDACTED], a particularly sensitive document made available by [REDACTED] was viewed by a small contingent of staff, as well as SCHIFF and [REDACTED] representative ERIC SWALWELL. Within 24 hours, the information appeared in the news almost verbatim and [REDACTED] officials descended upon HPSCI's offices, threatening to stop providing information unless the leaking ended. [REDACTED] suspected that SWALWELL played a role in the leak and noted that SWALWELL previously had been warned to be careful because he had a reputation for leaking classified information. As HPSCI's focus on the Russia matter continued, [REDACTED] remained isolated from all Russia briefings. [REDACTED] and [REDACTED] were also excluded from the meetings, and [REDACTED] feared that she might lose her job.

(U//FOUO) [REDACTED] was certain that SCHIFF was behind the February 2017 meeting during which [REDACTED] instructed the staff to collect information from the USIC for [REDACTED] purposes of making it public. [REDACTED], who considers SCHIFF a friend, asserted that it was [REDACTED]'s plan to release classified information in order to compel public opinion, which SCHIFF justified as a response to a constitutional crisis. Even the other committee members acknowledged SCHIFF's involvement. [REDACTED] cited a particular business meeting for which he was present along with SCHIFF and Representatives JIM HIMES, JACKIE SPEIER, MIKE QUIGLEY, and JOE

UNCLASSIFIED//FOUO

FBI-HJC119-SL-000152

UNCLASSIFIED//FOUO

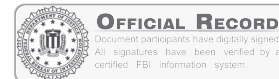
Continuation of FD-302 of (U) Interview of [REDACTED], On 12/05/2017, Page 5 of 5

HECK. HIMES asked SCHIFF, *what is your strategy, why are you going after Trump?* SCHIFF answered that it was the right thing to do, but followed by acknowledging that there was not enough for impeachment. SPEIER also questioned SCHIFF as to his strategy and reminded him that democrats were better off running against TRUMP than Vice President MIKE PENCE.

(U//FOUO) [REDACTED] provided various other insights into the minority staffers. At some point during the summer of 2017, [REDACTED] was added to the staff and became part of the team that briefed on the Russia matter. [REDACTED] noted that [REDACTED], [REDACTED], [REDACTED], and [REDACTED] all believed their conduct was protected by the [REDACTED] or De [REDACTED] cause, though [REDACTED] tried to advise them otherwise. In addition to [REDACTED]'s use of his spouse's phone, [REDACTED] noted three "cut-outs" through which classified information might be leaked to the press: (i) [REDACTED] relaying information to [REDACTED], (ii) [REDACTED] divulging information to [REDACTED] the BAL [REDACTED] SUN who has worked with [REDACTED] of the WASHINGTON POST, and (iii) [REDACTED] through [REDACTED]. [REDACTED] observed [REDACTED] urnalists [REDACTED] in [REDACTED] hou [REDACTED] re a story broke in order to confirm final details, sometimes calling around 3:30 - 5:00 pm if a story was posting that evening. As such, [REDACTED] believed that call-chain analysis would indicate the source(s) of leaked material. [REDACTED] also advised that [REDACTED] in particular liked to use the [REDACTED] elections have cons [REDACTED] ce" and [REDACTED] believed that articles including that phrase could be a reference to [REDACTED]. [REDACTED] felt that of the staffers, [REDACTED] and [REDACTED] were the [REDACTED] st [REDACTED] ced with intelligence matter [REDACTED] d [REDACTED] suggested that [REDACTED] was the most likely to misstate information related to intelligence collection methods. Finally, [REDACTED] noted that [REDACTED] had functioned as the [REDACTED] monitor, while [REDACTED] was the [REDACTED] monitor.

UNCLASSIFIED//FOUO

FBI-HJC119-SL-000153



## FEDERAL BUREAU OF INVESTIGATION

Date of entry 09/21/2017

(U) [REDACTED] (PROTECT IDENTITY), social security account number [REDACTED], was interviewed at Bullfeathers Restaurant 410 First Street SE, Washington D.C. After being advised of the identity of the interviewing Agent, the nature of the interview, and executing a non-disclosure agreement, [REDACTED] provided the information summarized below:

(U) By way of background, circa October 2016, [REDACTED], a [REDACTED] Staff Member House Permanent Select Committee on Intelligence (HPSCI), was told by various HPSCI staff colleagues if Hillary Clinton were to win the election Representative Adam Schiff (D - California) would be offered the position of the Director of the Central Intelligence Agency (CIA). As such, [REDACTED] opined Schiff had reasons to support Clinton beyond his political affiliation. At that time normal partisan politics continued at HPSCI but there was no significant problem with regards to leaking classified information.

(U) Things changed after the election. Schiff believed Russia hijacked the election and the United States was in the middle of a constitutional crisis. Classified information began leaking to the media. The Democratic minority leadership of HPSCI was aware of the leaks but was under the impression that leaking the information was one way to topple the administration and fix the constitutional crisis.

(U) The leaks were driven from the top; they were structured and intentional. The message conveyed to the staff was the U.S. was facing a constitutional crisis and something needed to be done. While [REDACTED] had no information indicating Schiff was directing the leaks, he opined Schiff was aware it was going on and provided tacit approval.

(U) On February 13, 2017 during a weekly staff meeting, and later in the day at the Committee's "Hot Spots" meeting, [REDACTED], HPSCI [REDACTED], advised the minority staff he wanted to drive the "Russian Involvement" issue into a Joint Inquiry "similar to the 9/11 Commission." He instructed the staff to use any sources they had

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Investigation on 08/02/2017 at Washington , District Of Columbia, United States (In Person)  
File # [REDACTED] Date drafted 08/04/2017  
by [REDACTED]

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Continuation of FD-302 of (U) , On 08/02/2017 , Page 2 of 5

developed within the Intelligence Community to gather facts. [REDACTED] stated he wanted to make the information public and use the media to compel public opinion to bring about the Joint Inquiry.

(U) During the Hot Spots meeting, [REDACTED] approached [REDACTED] and asked [REDACTED] to reach out to his friends at the [REDACTED] ( [REDACTED] ) and find out what they have about Lt. General Michael Flynn's contacts with the Russians. [REDACTED] advised the information would likely reside with law enforcement and recommended [REDACTED] ask another staffer, [REDACTED]. [REDACTED] asked [REDACTED] to give it a try, to which [REDACTED] advised he would do his best and let the issue drop. [REDACTED] never reached out to contacts at [REDACTED] for information regarding Flynn.

(U) [REDACTED] reported his concerns about the meetings and private conversation with [REDACTED] to HPSCI Security Director, [REDACTED]. He subsequently discussed all the leaks that appeared to come out of HPSCI with [REDACTED]. Since having those conversations with [REDACTED] has become marginalized on the HPSCI staff.

(U) When asked about the Flynn contacts, [REDACTED] opined everything is directed at Trump and trying to get him impeached. Flynn just happened to be the issue of the day.

(U) HPSCI personnel contacted [REDACTED] and [REDACTED] and requested the number of documents the agencies had related to President Trump. The staff wanted to know how many of these documents were masked. They planned to request the unmasking of the individuals and then deal with them.

(U) HPSCI put together a team of three people, the Russian Team, to read the aforementioned documents. The team and, at times, a Representative went to [REDACTED] and [REDACTED] to review the documents. They were not allowed to take notes or retain the documents; the documents would remain at the respective agencies. The team would come back and brief the broader group of HPSCI staff and Congressional members of HPSCI.

(U) The Russian Team was comprised of [REDACTED], [REDACTED], and [REDACTED]. [REDACTED], [REDACTED], [REDACTED], and [REDACTED] were part of the broader team which received briefings from the others upon their return. [REDACTED], a new hire, subsequently joined the team.

(U) HPSCI'S Russian investigation is comprised of a review of a specific set of documents located at [REDACTED] and [REDACTED]. The documents at [REDACTED] are compartmentalized. The number of documents at [REDACTED] is in the triple digits. [REDACTED] Legal Affairs, [REDACTED] ( [REDACTED] ) and [REDACTED], facilitated pulling the documents.

Continuation of FD-302 of (U) \_\_\_\_\_, On 08/02/2017, Page 3 of 5

(U) \_\_\_\_\_ documents are kept in a \_\_\_\_\_ room designated for congressional review and a bigot list is kept of the individuals who review the documents. \_\_\_\_\_ did not know who pulled the \_\_\_\_\_ documents.

(U) HPSCI attorneys \_\_\_\_\_ and \_\_\_\_\_ requested the unmaking of the identities of US persons in the documents.

(U) One \_\_\_\_\_ document contained very specific reporting and only three people from HPSCI (possible two staff- \_\_\_\_\_ and \_\_\_\_\_ - and one House member - Rep. Eric Swalwell (D - California)) read it. The document was read right before the Fourth of July recess, sometime late June to early July. Within twenty four hours of HPSCI reviewing the document the information contained in the document appeared in the press. Subsequently, \_\_\_\_\_'S \_\_\_\_\_ went to HPSCI and read them the riot act about the disclosure.

(U) \_\_\_\_\_ noted Swalwell has been the source of a lot of leaked information and had to be counseled to be more careful.

(U) Approximately six weeks ago the Russian Team plus some HPSCI attorneys and other minority staff members held a meeting. \_\_\_\_\_ was told he did not need to attend. \_\_\_\_\_ opined that she, \_\_\_\_\_ and \_\_\_\_\_ were being pushed out because they were not providing the leadership with what it wanted; i.e. "dirt." Additionally, \_\_\_\_\_ opined he was seen as a threat because he would not put up with the leaking and has addressed the issue to staff and HPSCI security on many occasions.

(U) Over the past week or two \_\_\_\_\_, Schiff's communications director, not a member of Russian team, has been briefed on whatever the Russian Team has been learning from their classified document review. According to \_\_\_\_\_, \_\_\_\_\_ did not hold a security clearance.

(U) \_\_\_\_\_ opined the HPSCI staff feels it is doing nothing wrong by leaking because they are being told they are in the middle of a constitutional crisis. Some feel they are protected under the speech and debate clause. \_\_\_\_\_ has counseled members that the speech and debate clause only applies to congressional members not staff.

(U) There has been some dissent among congressional members with regards to the Russian issue. Representative Jim Himes (D. - Connecticut) asked Schiff, if based on all the documents he (Schiff) had seen, did he think there was enough evidence for conviction. Schiff replied probably not. Himes then asked if there was enough evidence for impeachment, to which Schiff replied probably not.



Continuation of FD-302 of (U) , On 08/02/2017 , Page 4 of 5

(U) In the last year leading up to the election, brought a new staffer, , to the committee. travelled extensively with and for all intents and purposes functioned as his aide. gave access to classified information even though was not cleared. On one occasion observed with a spiral notebook which contained classified codenames. asked about the notebook and advised it was no big deal, took the book and left. opined while liked and wanted to mentor , he ( ) also wanted someone to reach back to a HPSCI to get information once he the committee.

(U) Within two weeks of leaving the committee for private industry, he wrote an article on Cyber and 702 authority. The HPSCI staff saw the article and were talking about it when said he had talked to a couple of days prior to the article being published and helped with the article. counseled on the contact due to being on a one year time out from contacting any HPSCI member or staff.

(U) spelled out the three potential pathways he believed were responsible for leaks of classified information originating out of HPSCI:

1. : He sits in on the Russian briefings after the Russian Team reads documents at or . It is likely he tells what he learned and takes it to the media.
2. : She is married to a reporter for the Baltimore Sun. Supposedly, he does not do any intelligence reporting; however he had a job lined up at the on-line news site Politico that subsequently fell through. 's spouse has worked with Ellen Nakishima of the Washington Post. He is currently pursuing reporting jobs in D.C. as they live in Capitol Hill. He does not like the commute to Baltimore. opined provided information to her husband who had brokered it out to other reporters.
3. : A. He has had contact with a woman reporter at the Intercept. He has talked about working with her and being frustrated she changed a story and did not do as he told her to do. B. also appears to be close to Dan LNU from NBC who calls the office on a regular basis. If he is around, takes Dan's calls; C. Finally, also provides information he received as part of the Russian Team to , who should not be receiving the information because he is not cleared.

(U) advised it is likely the leaks are being conducted through cutouts. He believed some individuals may be using their spouse's phones to contact the media. noted has made calls from Schiff's office, thereby having some cover for his activities.

[REDACTED]  
Continuation of FD-302 of (U) [REDACTED], On 08/02/2017, Page 5 of 5

(U) Deputy Chief of Staff [REDACTED] is aware of the leaks. She is smart enough to never be a source but would do anything to defend Schiff. The staff believes Schiff will eventually be a Senator or President and plan to ride his coat tails to better career opportunities.

(U) On July 31, 2017 two FBI agents were on the hill conducting a background investigation with [REDACTED]. [REDACTED] appeared shook up after the interview. On August 01, 2017 [REDACTED] took two HPSCI attorneys into [REDACTED]'s office. Upon their departure [REDACTED] overheard [REDACTED] state "if they try that it is going to be worse than Watergate." (NFI)

(U) [REDACTED] did not go to FBI Congressional liaison personnel with this information because he believes they are too embedded with HPSCI staff and cannot trust them to do the right thing. Rather he approached a trusted contact at the [REDACTED]'S Office of Inspector General, advised him of the situation, and noted he would be willing to discuss the matter with interested investigators.



**FEDERAL BUREAU OF INVESTIGATION**  
**Electronic Communication**

**Title:** [REDACTED] Opening EC

**Date:** 10/18/2017

**From:** WASHIN N FIELD

WF-[REDACTED]

**Con** [REDACTED] :

**Approved By:** SSA [REDACTED]

**Drafted By:** [REDACTED]

**Case ID #:** [REDACTED] [REDACTED] RIDING HOOD;  
MEDIA LEAK

**DOCUMENT RESTRICTED TO CASE PARTICIPANTS**

This document contains information that is restricted to case participants.

**Synopsis:** [REDACTED] Opening EC for RIDING HOOD investigation.

**Reason:** [REDACTED]

**From:** [REDACTED]  
[REDACTED]

**fy On:** [REDACTED]

**Full Investigation Initiated:** 10/18/2017

**Enclosure(s):** Enclosed are the following items:

1. [REDACTED] Opening LHM

**Details:**

(U// [REDACTED] On June 12, 2017, Washington Field Office (WFO) squad [REDACTED] Supervisory Special Agent (SSA) Mark Dargis was contacted by [REDACTED] Federal Bureau of Investigation (FBI) employee [REDACTED], Unit Chief (UC), Directorate of Intelligence, FBIHQ. UC [REDACTED] reported that a previously maintained liaison contact with U.S. Customs and Border Protection (CBP) contacted him about possible media leak

[REDACTED]

[REDACTED]

Title: [REDACTED] Opening EC  
Re: [REDACTED], 10/18/2017

activity involving a U.S. Government employee and a local Washington, D.C. reporter.

(U// [REDACTED] On June 7, 2017, FBI interviewed CBP Investigator [REDACTED], assigned to the [REDACTED] in Northern Virginia, concerning the aforementioned lead.

[REDACTED]

[REDACTED] As part of this strategy, [REDACTED] reached out to a reporter at Politico named Ali Watkins. [REDACTED] contacted Watkins requesting to speak with her on an undisclosed matter. Watkins agreed to meet with [REDACTED]. In preparation for their meeting, [REDACTED] conducted basic checks on Watkins in CBP databases and information systems.

[REDACTED] noted Watkins, approximate age [REDACTED], had "suspicious" travel (NFI), and subsequently determined she [REDACTED]

[REDACTED] James A. Wolfe, approximate age [REDACTED].

(U// [REDACTED] When [REDACTED] and Watkins met at a restaurant, [REDACTED] chose not to share his employer, position, or purpose with Watkins.

[REDACTED] said Watkins proceeded to admit she was carrying on a sexual affair with the Director of Security for the U.S. Senate Select Committee on Intelligence (SSCI), Wolfe, who was married. In the wake of Watkins admissions, [REDACTED] ended the meeting [REDACTED]

[REDACTED]. Shortly after the meeting with Watkins, [REDACTED] reached out to UC [REDACTED] in order to inform the FBI of potential media leak activity. [REDACTED] provide UC [REDACTED] a Politico article by Ali Watkins published on June 1, 2017 titled "Russia escalates spy games after years of U.S. neglect." [REDACTED] did not provide any additional context for the article he provided to the FBI.

(U// [REDACTED] On June 12, 2017, [REDACTED] provided the FBI with a copy of his CBP record checks he had conducted on Watkins. [REDACTED]

[REDACTED]

Title: [REDACTED] Opening EC  
Re: [REDACTED], 10/18/2017

[REDACTED]

[REDACTED] stated to the FBI in an email, "[REDACTED]"

(U// [REDACTED] After reviewing the information Rambo provided, FBI conducted an [REDACTED] records check to confirm [REDACTED] information. According to [REDACTED], Watkins and Wolfe did travel [REDACTED]. Watkins and Wolfe traveled together [REDACTED]

[REDACTED]. Additionally

[REDACTED], Watkins and Wolfe traveled [REDACTED]

(U// [REDACTED] According to Wolfe's LinkedIn profile, Wolfe has been the Director of Security for SSCI from "May 1987 to present." According to a [REDACTED] security clearance record check, Wolfe [REDACTED]

[REDACTED] Watkins has authored numerous articles for several news publications since approximately March 2014. It appears from Watkins articles, her specialized reporting primarily covers SSCI. FBI is opening a Full Investigation on Wolfe, coded named RIDING HOOD (RH), to determine if Wolfe is Watkins' SSCI source who is potentially providing her with classified information. The WFO [REDACTED] point of contact for this investigation is Special Agent [REDACTED], [REDACTED].

[REDACTED]

Title: [REDACTED] Opening EC  
Re: [REDACTED], 10/18/2017

♦♦

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



(U// [REDACTED] Date: October 17, 2017

(U// [REDACTED] Report: Initiation of Investigation LHM

[REDACTED] Investigation: RIDING HOOD

(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] PI/FI Initiated/Converted: 10/17/2017

(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]

(U// [REDACTED] *Factual Predication:*

(U// [REDACTED] On June 12, 2017, Washington Field Office (WFO) squad [REDACTED] Supervisory Special Agent (SSA) [REDACTED] contacted by Federal Bureau of Investigation (FBI) employee [REDACTED], Unit Chief (UC), Directorate of Intelligence, FBI [REDACTED] reported that a previously maintained liaison contact with U.S. Customs and Border Protection (CBP) contacted him about possible media leak activity involving a U.S. Government employee and a local Washington, D.C. reporter.

[REDACTED] On June 7, 20 [REDACTED] investigator [REDACTED] signed to the [REDACTED]

[REDACTED] ico named Ali Watkins. [REDACTED] acted Watkins requesting [REDACTED] leak with her on an undisclosed matter. [REDACTED] Watkins agreed to meet with [REDACTED]. In [REDACTED]



[REDACTED]

preparation for their meeting, [REDACTED] conducted basic checks on Watkins in P databases and information systems. [REDACTED] noted Watkins, approximately [REDACTED] I), and [REDACTED] frequently determined [REDACTED], James A. Wolfe, approximate age [REDACTED]

(U// [REDACTED] When [REDACTED] and Watkins met at a restaurant, [REDACTED] chose not to [REDACTED]

[REDACTED]

the Director of Security for the U.S. Senate Select Committee on Intelligence [REDACTED] I), Wolfe, who was [REDACTED]

[REDACTED]

[REDACTED] in order to inform the FBI of potential [REDACTED] a leak activity. [REDACTED] provide UC [REDACTED] a Politico article by Ali Watkins published on June 10, 2017 titled "[REDACTED] escalates spy games after years of U.S. neglect." [REDACTED] did not provide any additional context for the article he provided to [REDACTED] BI.

(U// [REDACTED] On June 12, 2017, [REDACTED] provided the FBI with a copy of his CBP [REDACTED]

[REDACTED]

[REDACTED] information [REDACTED] provided, FBI [REDACTED] cted an records [REDACTED] k to confirm [REDACTED] d Wolfe did travel [REDACTED]

[REDACTED]

(U// [REDACTED] According to Wolfe's LinkedIn profile, Wolfe has been the [REDACTED] ty for SSCI from "May 1987 to present." [REDACTED]

[REDACTED] Watkins has authored numerous articles for several news organizations since approximately March 2014. It appears from Watkins articles, her specialized reporting primarily covers SSCI. FBI is opening a Full Investigation on Wolfe, coded named RIDING HOOD (RH), to determine if Wolfe is Watkins' SSCI source [REDACTED] s potentially providing her with classified information. The WF [REDACTED] c [REDACTED] his investigation is Special Agent [REDACTED], [REDACTED].

[REDACTED] Under DIOG Appendix G, Section 2.1, if a non-USPER, please provide [REDACTED] ative 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.

♦♦



**FEDERAL BUREAU OF INVESTIGATION**  
**Electronic Communication**

**Title:** (U// [REDACTED] [REDACTED] lead from WFO [REDACTED]

**Date:** 10/24/2017

**From:** WASHIN N FIELD

WF- [REDACTED]

**Con** : [REDACTED], [REDACTED]

**Approved By:** SSA [REDACTED]

**Drafted By:** [REDACTED]

**Case ID #:** [REDACTED] [REDACTED] RIDING HOOD;  
MEDIA LEAK

**DOCUMENT RESTRICTED TO CASE PARTICIPANTS**

This document contains information that is restricted to case participants.

**Synopsis:** (U// [REDACTED] To docu the lead information for [REDACTED]  
[REDACTED] provided FO squad [REDACTED].

**Reason:** [REDACTED]

**From:** [REDACTED]

**fy On:** [REDACTED]

**Enclosure(s):** Enclosed are the following items:

1. (U// [REDACTED] EC
2. (U// [REDACTED] EC 08/07/2017
3. (U// [REDACTED] Lead.
4. (U) Email
5. (U) Article.
6. (U) [REDACTED] email to SA [REDACTED].

**Details:**

[REDACTED]

[REDACTED]

Title: (U// [REDACTED] [REDACTED] lead from WFO [REDACTED]  
Re: [REDACTED], 10/24/2017

(U// [REDACTED] Attached in the 1A are the following documents provided by Washington Field Office (WFO) squad [REDACTED] which contain the RIDING HOOD predating information from Custom and Border Patrol Agent [REDACTED].

1. Electronic Communication [REDACTED] titled: "Potential media leak referral received at WFO [REDACTED]" dated 06/14/2017.
2. EC titled: "To document our response to a media leak referral received from Customs and Border Protection" dated 08/07/2017.
3. [REDACTED] s from FBI Unit [REDACTED].
4. [REDACTED]'s email to SA [REDACTED] [REDACTED] y 2, 2017.
5. News article by Ali Watkins dated 06/01/2017 provided by [REDACTED].
6. Lead Report dated 10/16/2017.

♦♦

UNCLASSIFIED// [REDACTED]

**FEDERAL BUREAU OF INVESTIGATION****Electronic Communication**

**Title:** (U) Potential media leak referral  
received at WFO [REDACTED]

**Date:** 06/14/2017

**From:** WASHINGTON FIELD

WF-[REDACTED]

**Con:** [REDACTED], [REDACTED]

**Approved By:** ASAC [REDACTED]

**Drafted By:** [REDACTED]

**Case ID #:** [REDACTED] (U// [REDACTED] COUNTERESPIONAGE MATTERS;  
MEDI [REDACTED] K REFERRALS AND LEADS;  
WASHINGTON FIELD AOR

**Synopsis:** (U// [REDACTED] Information received at FBIHQ from a liaison contact at CBP indicates media leak activity may be underway involving a USG employee and a reporter at POLITICO

**Enclosure(s):** Enclosed are the following items:

1. (U) Email chain between [REDACTED] and [REDACTED]
2. (U) News article by Ali Watkins 6/1/2017

**Details:**

(U// [REDACTED] On 6/12/2017, WFO [REDACTED] was contacted by FBI employee [REDACTED], Unit Chief, [REDACTED], Directorate of Intelligence, FBIHQ. UC [REDACTED] reported that a previously maintained liaison contact with U.S. CUSTOMS AND BORDER PROTECTION (CBP) contacted him about possible media leak activity involving a U.S. Government employee and a local Washington, D.C. reporter. UC [REDACTED] subsequently provided the following details:

(U// [REDACTED] CBP investigator [REDACTED], assigned to the [REDACTED] in Northern Virginia, telephone number [REDACTED], contacted UC [REDACTED] and reported that his agency is currently [REDACTED]

UNCLASSIFIED// [REDACTED]

UNCLASSIFIED// [REDACTED]

Title: (U) Potential media leak referral received at WFO [REDACTED]  
Re: [REDACTED], 06/14/2017

[REDACTED]

(U// [REDACTED] [REDACTED] advised UC [REDACTED] that he recently contacted a reporter at POLITICO named Ali WATKINS and she agreed to meet for further discussion of the proposed strategy. In preparation for the meeting, [REDACTED] conducted basic checks on WATKINS in CBP databases and information systems. [REDACTED] noted that WATKINS, approximate age [REDACTED], had "suspicious" travel (NFI), and subsequently determined that [REDACTED], FNU LNU, approximate age [REDACTED].

(U// [REDACTED] When WATKINS met with [REDACTED], he confronted her with this information. According to [REDACTED], as relayed by UC [REDACTED], WATKINS proceeded to admit that she was carrying on a sexual affair with FNU LNU, who is married. WATKINS also told [REDACTED] that FNU LNU is the Security Director for the U.S. SENATE SELECT COMMITTEE ON INTELLIGENCE (SSCI). In the wake of these admissions, the meeting was subsequently ended [REDACTED]

[REDACTED] soon after reached out to UC [REDACTED] in order to inform the FBI of potential media leak activity.

(U// [REDACTED] UC [REDACTED] advised that [REDACTED] likely has detailed information regarding the identity of FNU LNU and the "suspicious" travel conducted by WATKINS. UC [REDACTED] further advised that [REDACTED] sent him, via email, a link to a POLITICO article written by WATKINS discussing Russian espionage matters and quoting several unnamed "U.S. intelligence officials."

(U// [REDACTED] Open source research by [REDACTED] at INSIDE-GOV.com revealed that FNU LNU may be associated with James A. WOLFE, Security Director for SSCI.

(U// [REDACTED] A copy of UC [REDACTED] email correspondence with [REDACTED] is attached to this communication. A copy of WATKINS' article titled,

UNCLASSIFIED// [REDACTED]

UNCLASSIFIED// [REDACTED]

Title: (U) Potential media leak referral received at WFO [REDACTED]  
Re: [REDACTED], 06/14/2017

"Russia escalates spy games after years of U.S. neglect," published in POLITICO on 06/01/2017, is also attached to this communication.

♦♦

UNCLASSIFIED// [REDACTED]



UNCLASSIFIED// [REDACTED]

**FEDERAL BUREAU OF INVESTIGATION****Electronic Communication****Title:** (U// [REDACTED]) Media Leak Referral Denial**Date:** 08/07/2017**From:** WASHINGTON FIELD

WF- [REDACTED]

**Con:** [REDACTED], [REDACTED]**Approved By:** A/SSA [REDACTED]**Drafted By:** [REDACTED]**Case ID #:** [REDACTED] (U// [REDACTED]) COUNTERESPIONAGE MATTERS;  
MEDIA LEAK REFERRALS AND LEADS;  
WASHINGTON FIELD AOR**Synopsis:** (U// [REDACTED]) To document our response to a media leak referral received from Customs and Border Protection**Reference:** [REDACTED]**Details:**

(U// [REDACTED]) On 12 June, 2017, WFO [REDACTED] Supervisory Special Agent (SSA) [REDACTED] was contacted by FBI employee [REDACTED], Unit Chief (UC), [REDACTED], Directorate of Intelligence, FBIHQ. UC [REDACTED] reported that a previously maintained liaison contact with U.S. CUSTOMS AND BORDER PROTECTION (CBP) reached out to him about possible media leak activity involving a U.S. Government employee and a local Washington, D.C. reporter.

(U// [REDACTED]) On 7 June, 2017, SA [REDACTED] reached out to Customs and Border Protection (CBP) investigator [REDACTED], assigned to the [REDACTED] in Northern Virginia, telephone number [REDACTED], by phone concerning the aforementioned lead.

UNCLASSIFIED// [REDACTED]

UNCLASSIFIED// [REDACTED]

Title: (U// [REDACTED] Media Leak Referral Denial  
Re: [REDACTED], 08/07/2017

(U// [REDACTED] Investigator [REDACTED] reported that he is currently [REDACTED]  
[REDACTED]  
[REDACTED]

As part of this strategy, [REDACTED] recently reached out to a reporter at POLITICO named Ali WATKINS and told her he needed to speak with her but could not tell her what it was about. She agreed to meet for further discussion. In preparation for the meeting, [REDACTED] conducted basic checks on WATKINS in CBP databases and information systems. [REDACTED] noted that WATKINS, approximate age [REDACTED], had "suspicious" travel (NFI), and subsequently determined that [REDACTED]  
[REDACTED], JAMES A WOLFE, approximate age [REDACTED].

(U// [REDACTED] When [REDACTED] and WATKINS met at a local restaurant, [REDACTED] chose not to share his employer, position, or purpose with WATKINS. However, he confronted her with the information he found concerning her travel. [REDACTED] said that WATKINS proceeded to admit that she was carrying on a sexual affair with the Security Director for the U.S. SENATE SELECT COMMITTEE ON INTELLIGENCE (SSCI), James A. WOLFE, who is married. In the wake of these admissions, the meeting was subsequently ended [REDACTED]  
[REDACTED]

[REDACTED] soon after reached out to UC [REDACTED] in order to inform the FBI of potential media leak activity.

(U// [REDACTED] Due to the lack of information pertaining to violations relating to the loss of national defense information or classified material, [REDACTED] has decided to decline any further investigation at this time. If further information is presented in the future concerning this matter, [REDACTED] will take investigative action at that time.

UNCLASSIFIED// [REDACTED]

UNCLASSIFIED//

Title: (U// Media Leak Referral Denial  
Re: , 08/07/2017

◆◆

UNCLASSIFIED//

UNCLASSIFIED// [REDACTED]

# FEDERAL BUREAU OF INVESTIGATION

## Lead Report

**Precedence:** Routine  
**Lead Type:** Action  
**Deadline:** 10/06/2017  
**Lead Number:** [REDACTED]

**Date:** 10/16/2017

**From:** WASHINGTON FIELD

WF- [REDACTED]

**Contact:** [REDACTED], [REDACTED]

**Approved By:** A/SSA [REDACTED]

**Drafted By:** [REDACTED]

**Case ID #:** [REDACTED]

(U// [REDACTED] COUNTERESPIONAGE MATTERS;  
MEDIA LEAK REFERRALS AND LEADS;  
WASHINGTON FIELD AOR

**Reference:** [REDACTED]

**Details:** (U// [REDACTED] Due to the information related to current Senate Intelligence Committee official in this electronic communication, WFO recommends [REDACTED] shares this information with HQ Office of Congressional Affairs. Please feel free to reach out for further information.

UNCLASSIFIED// [REDACTED]

FBI-HJC119-SL-000176

UNCLASSIFIED// [REDACTED]

Re: [REDACTED]  
Lead: [REDACTED] 10/16/2017

**Location**

**To:** D5 [REDACTED]  
**Recipient:** D5 [REDACTED]  
**Assignee:** [REDACTED]  
**Status:** Covered

**Coverages:**

10/05/2017 by [REDACTED]

**Reference:**

(U// [REDACTED] [REDACTED] coordinated FBI OCA notification with  
Congressional Liaison [REDACTED] Unit Chief [REDACTED].

◆◆

UNCLASSIFIED// [REDACTED]

**Dargis, Mark B. (WF) (FBI)**

---

**From:** [REDACTED] (CTD) (FBI)  
**Sent:** Monday, June 12, 2017 8:44 AM  
**To:** Dargis, Mark B. (WF) (FBI)  
**Subject:** FW: Phone call needed

**From:** [REDACTED]  
**Sent:** Friday, June 09, 2017 4:11 PM  
**To:** [REDACTED] (CTD) (FBI) [REDACTED]  
**Subject:** RE: Phone call needed

10-4. Enjoy your weekend.

Very Respectfully,

[REDACTED]

[REDACTED]

**From:** [REDACTED] (CTD) (FBI) [REDACTED]  
**Sent:** Friday, June 09, 2017 4:06 PM  
**To:** [REDACTED]  
**Subject:** RE: Phone call needed

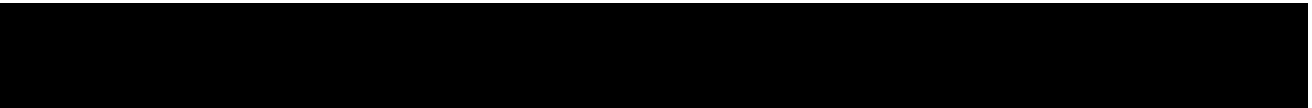
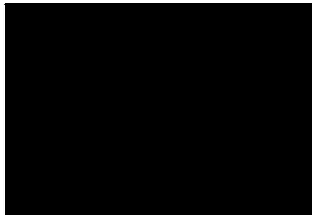
To be determined. I will ask our folks. I will let you know next week.

**From:** [REDACTED]  
**Sent:** Friday, June 09, 2017 3:49 PM  
**To:** [REDACTED]  
**Subject:** RE: Phone call needed

[REDACTED],

Thanks for the follow-up. Do you want to arrange an in-person intro?

Very Respectfully,

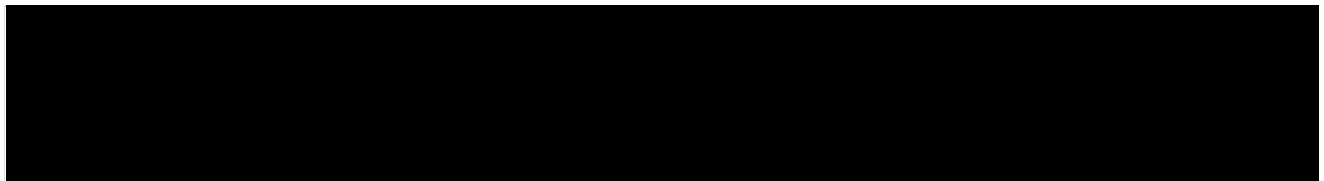


**From:** [REDACTED] (CTD) (FBI) [REDACTED]  
**Sent:** Friday, June 09, 2017 3:48 PM  
**To:** [REDACTED]  
**Subject:** RE: Phone call needed

[REDACTED],

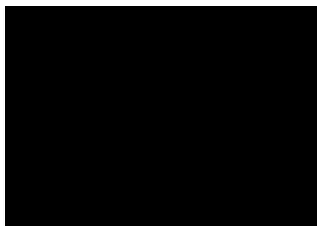
I will be in touch with you next week and will be putting you in contact with someone who handles this sort of thing. Have a great weekend.

**From:** [REDACTED]  
**Sent:** Monday, June 05, 2017 2:23 PM  
**To:** [REDACTED] (CTD) (FBI) <[REDACTED]>  
**Subject:** RE: Phone call needed



In an overarching way... my main concern is that encounters such as these are a large part of the leaks occurring and building it out could paint a better picture with regards to that if the dots can all be connected.

Very Respectfully,



[REDACTED]

**From:** [REDACTED]  
**Sent:** Monday, June 05, 2017 10:32 AM  
**To:** [REDACTED]. (CTD) (FBI)' [REDACTED] >  
**Subject:** RE: Phone call needed

For context during the call: <http://www.politico.com/story/2017/06/01/russia-spies-espionage-trump-239003>

Very Respectfully,

[REDACTED]

[REDACTED]

**From:** [REDACTED] (CTD) (FBI) [REDACTED]  
**Sent:** Friday, June 02, 2017 5:44 PM  
**To:** [REDACTED]  
**Subject:** RE: Phone call needed

Np. We'll talk Monday.

-

----- Original message -----

**From:** "[REDACTED]" >  
**Date:** 6/2/17 5:25 PM (GMT-05:00)  
**To:** "[REDACTED] (CTD) (FBI)" <[REDACTED]>  
**Subject:** RE: Phone call needed

[REDACTED],



Just got off a call with my boss. We need to run interference and put the below mentioned in a holding pattern for a few days. Let's push meeting back a few days, but give me a call at your convenience and I will fill you in on all of the details over the phone in the meantime and the purpose of the holding pattern.

I can be reached at [REDACTED] or [REDACTED] anytime. If I miss it by chance, I'll return the call right away.

Very Respectfully,

[REDACTED]

[REDACTED]

**From:** [REDACTED] (CTD) (FBI) [REDACTED]  
**Sent:** Friday, June 02, 2017 11:19 AM  
**To:** [REDACTED] >  
**Subject:** RE: Phone call needed

Same to you. I look forward to re-connecting.

**From:** [REDACTED]  
**Sent:** Friday, June 02, 2017 11:18 AM  
**To:** [REDACTED] (CTD) (FBI) <[REDACTED]>  
**Subject:** RE: Phone call needed

Sounds good to me. If anything changes in the meantime, just give me a heads up at either [REDACTED] or [REDACTED]. Both are cells. Otherwise I'll be there at 9am. Enjoy your weekend and good to hear from you!

Very Respectfully,

[REDACTED]

[REDACTED]

**From:** [REDACTED] (CTD) (FBI) [REDACTED]  
**Sent:** Friday, June 02, 2017 11:16 AM

**To:** [REDACTED]  
**Subject:** RE: Phone call needed

Let's say Monday. 9:00 alright? I assume you know how to get here etc? We can meet at the Au Bon Pain across the street from the building?

**From:** [REDACTED]  
**Sent:** Friday, June 02, 2017 11:06 AM  
**To:** [REDACTED] (CTD) (FBI) <[REDACTED]>  
**Subject:** RE: Phone call needed

10-4. It would be about 12pm today since I'd just be leaving now. I'll let you make the call. SOI is the SSCI Director of Security.

Very Respectfully,

[REDACTED]

[REDACTED]

**From:** [REDACTED] (CTD) (FBI) [REDACTED]  
**Sent:** Friday, June 02, 2017 11:04 AM  
**To:** [REDACTED]  
**Subject:** RE: Phone call needed

Either, but Monday may be less rushed for you....

**From:** [REDACTED]  
**Sent:** Friday, June 02, 2017 10:33 AM  
**To:** [REDACTED] (CTD) (FBI) [REDACTED] >  
**Subject:** RE: Phone call needed

Which would work better for you? I could be up by 11:45 today or anytime Monday.

Very Respectfully,

[REDACTED]

[REDACTED]

[REDACTED]

**From:** [REDACTED] (CTD) (FBI) [REDACTED]  
**Sent:** Friday, June 02, 2017 10:29 AM  
**To:** [REDACTED]  
**Subject:** RE: Phone call needed

I am at Hoover until about 1:30 today. I am available Monday morning before lunch if that works for you.

**From:** [REDACTED]  
**Sent:** Friday, June 02, 2017 10:26 AM  
**To:** [REDACTED] (CTD) (FBI) [REDACTED]  
**Subject:** RE: Phone call needed

I'm in the D.C. area, working out of [REDACTED] Fairly mobile though.

Very Respectfully,

[REDACTED]

[REDACTED]

**From:** [REDACTED] (CTD) (FBI) [REDACTED]  
**Sent:** Friday, June 02, 2017 10:26 AM  
**To:** [REDACTED]  
**Subject:** RE: Phone call needed

Are you in DC now? Or SD.

**From:** [REDACTED]  
**Sent:** Friday, June 02, 2017 10:24 AM  
**To:** [REDACTED] (CTD) (FBI) <[REDACTED]>  
**Subject:** RE: Phone call needed

Confirmed improper relationship between a member of the SSCI and the press. Additional details in person if possible.

Very Respectfully,

[REDACTED]

[REDACTED]

**From:** [REDACTED] (CTD) (FBI) [REDACTED]  
**Sent:** Thursday, June 01, 2017 8:56 PM  
**To:** [REDACTED]  
**Subject:** RE: Phone call needed

Hey [REDACTED] Good to hear from you. Shoot me what you have and we can discuss tomorrow?

-

----- Original message -----

**From:** "[REDACTED]" >  
**Date:** 6/1/17 7:06 PM (GMT-05:00)  
**To:** "[REDACTED] (CTD) (FBI)" <[REDACTED]>  
**Subject:** Phone call needed

Morgan,

Can you give me a call at [REDACTED] or [REDACTED] if possible ASAP. I need to run something by you that I  
**\*believe\*** might be in your swim lane.

Very Respectfully,

[REDACTED]

## FOREIGN POLICY

**Russia escalates spy games after years of U.S. neglect**

Lawmakers and intelligence officials say that the United States missed opportunities to crack down on Russian espionage efforts.

By ALI WATKINS | 06/01/2017 05:12 AM EDT | Updated 06/01/2017 08:07 AM EDT



Officials say the Kremlin is waging a quiet effort to map the United States' telecommunications infrastructure, perhaps preparing for an opportunity to disrupt it. | Getty

In the throes of the 2016 campaign, the FBI found itself with an escalating problem: Russian diplomats, whose travel was supposed to be tracked by the State Department, were going missing.

The diplomats, widely assumed to be intelligence operatives, would eventually turn up in odd places, often in middle-of-nowhere USA. One was found on a beach, nowhere near where he was supposed to be. In one particularly bizarre case, relayed by a U.S. intelligence official, another turned up wandering around in the middle of the desert. Interestingly, both seemed to be lingering where underground fiber-optic cables tend to run.

According to another U.S. intelligence official, "They find these guys driving around in circles in Kansas. It's a pretty aggressive effort."

It's a trend that has led intelligence officials to conclude that the Kremlin is waging a quiet effort to map the United States' telecommunications infrastructure, perhaps preparing for an opportunity to disrupt it.

"Half the time, they're never confronted," the official, who declined to be identified discussing intelligence matters, said of the incidents. "We assume they're mapping our infrastructure."

As the country — and Washington in particular — borders on near-obsession over whether affiliates of Donald Trump's campaign colluded with the Kremlin to swing the 2016 presidential election, U.S. intelligence officials say Moscow's espionage ground game is growing stronger and more brazen than ever.

It's a problem that's sparking increasing concern from the intelligence community, including the FBI. After neglecting the Russian threat for a decade, the U.S. was caught flat-footed by Moscow's election operation. Now, officials are scrambling to figure out how to contain a sophisticated intelligence network that's festered and strengthened at home after years' worth of inattention.

## The White House reads it. Do you?

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"We've definitely been ignoring Russia for the last 15 years," another intelligence official said, calling the Kremlin "resurgent."

POLITICO spoke with half a dozen current and former U.S. intelligence officials about Russian spy strategies. All requested anonymity to openly discuss espionage.

"They've just got so many bodies," the first intelligence official said of the Russians. "It's not about what we know [is happening]. It's about what we don't know."

It's one of the most poorly kept secrets in the intelligence community: The Russian effort is a startlingly open and aggressive one, and often falls in a complex legal gray zone.

For example, the second official said, diplomats wandering around the desert might be in violation of certain travel requirements, but it's not necessarily illegal.

Most U.S. intelligence officials can relay stories of run-ins with Russian intelligence operatives — often moonlighting as lobbyists, diplomats and businessmen — hanging around popular Washington happy hours. It's an open assumption that they use Capitol Hill and its public office buildings as a farming ground for potential recruits. And the presumed agents aren't hard to spot, according to officials: An oft-traded joke is to go to one of Washington's handful of Russian restaurants and look for the guy in a tracksuit.

As the Russians continue aggressively pushing legal boundaries in both the United States and Moscow, there's a tangible frustration among U.S. intelligence officials and on Capitol Hill that the U.S. has consistently missed its chance to crack down on Moscow's spy games.

For years, lawmakers from both sides of the aisle pressed a hesitant Obama White House to crack down on some of the Kremlin's more brazen stateside maneuvers.

"There was a general feeling that this was not getting the attention it deserved," said Sen. Ron Wyden (D-Ore.), a member of the Senate Intelligence Committee who has supported the panel's efforts in pressing the White House to tow a harder line with the Kremlin.

Around last summer, that tension reached a fever pitch.

### LAW AND ORDER

## Could the Russia Investigation Reveal Trump's Tax Returns?

By PHILIP SHENON

Lawmakers, frustrated by Russian diplomats' repeated violation of travel rules, inserted a provision in last year's intelligence authorization bill that would have required Russian diplomats to provide ample notice to the State Department if they planned to travel more than 50 miles from where they were based, and further, would have required the FBI to validate that travel. According to several sources involved in the discussions at that time, the administration fought desperately — and failed — to get those provisions taken out of the bill.

Around that same time, two key Democratic lawmakers informed the White House of plans to publicly finger Russia as the foreign power behind a widespread effort to manipulate the ongoing U.S. election — something no official U.S. government entity had yet done. Fearful of escalation, the administration tried to get Sen. Dianne Feinstein and Rep. Adam Schiff, then the two leading Democrats on the Senate and House intelligence committees, respectively, to back off. The California lawmakers didn't, and they released the statement. Backed into a corner by Congress, the administration released a statement saying the same a week later.

The Obama administration's tentativeness in the weeks leading up to Nov. 8 — especially in the high-stakes context of a presidential election — is something that still bewilders corners of the intelligence world. Some speculate that Secretary of State John Kerry, desperate for a peace deal in Syria, urged the White House to lie low. Some blame it on fear of igniting a cyberwar, and still others say it stemmed from a generalized underestimation of the Russian threat.

Blaming one factor, one of the officials said, is “oversimplified.” But the frustration — and regret — is tangible.

Underscoring all this is that the Kremlin shows none of the same reluctance at home, nor does it show any propensity to abide by the gentlemen's espionage rules that the U.S. tends to uphold, sometimes to the chagrin of its own spy corps.

“We can't even leave the compound over there without being followed,” the first U.S. intelligence official said.

One well-publicized incident continues to agitate officials in Washington. In June of last year, a U.S. diplomat was returning to the embassy in Moscow when a guard with the FSB, the domestic Russian security service, exploded from his booth on the compound's perimeter and assaulted him. A surveillance video shows the guard tackling the man and throwing him to the ground before the U.S. diplomat was able to drag himself inside the doors of the embassy to safety.

#### POLITICS

### **Clinton: I was the 'victim' of an assumption that I would win**

By MADELINE CONWAY

The U.S. diplomat, whom POLITICO confirmed was actually a CIA officer, had done the impossible — he had lost his tails as he maneuvered in Moscow. Infuriated, the Russians sent an FSB guard the man wouldn't recognize to wait outside the embassy for his inevitable return. The officer was beaten so badly he was immediately flown out of the country for urgent medical attention.

The account was confirmed by another person familiar with the incident.

“They are far more aggressive on counterintelligence issues in Russia than we are here,” one of the officials said.

It's these incidents that worry and frustrate the Americans. The unspoken rules of spying mean nothing to the Kremlin.

“They agree to rules, and then break them,” another U.S. official said.

Former CIA Director John Brennan made reference to this frustration in recent congressional testimony. Though he stopped short of explicitly discussing the June 2016 incident in Moscow, he told lawmakers that he had brought up the broader harassment issue to his Russian counterpart at Russian state security services last August.

“I first told him, as I had several times previously, that the continued mistreatment and harassment of U.S. diplomats in Moscow was intolerable and needed to stop,” Brennan said.

The CIA declined to comment. The FBI did not respond to an official request for comment by deadline.

---

**From:** [REDACTED] (WF) (FBI)  
**Sent:** Tuesday, October 17, 2017 3:38 PM  
**To:** [REDACTED] (WF) (FBI)  
**Subject:** FW: [REDACTED]  
**Attachments:** [REDACTED]

[REDACTED]  
Special Agent  
Federal Bureau of Investigation  
Washington Field Office  
Mobile: [REDACTED]  
Desk: [REDACTED]

---

**From:** [REDACTED]  
**Sent:** Wednesday, July 12, 2017 2:06 PM  
**To:** [REDACTED] (TD) (FBI) [REDACTED]  
**Subject:** [REDACTED]

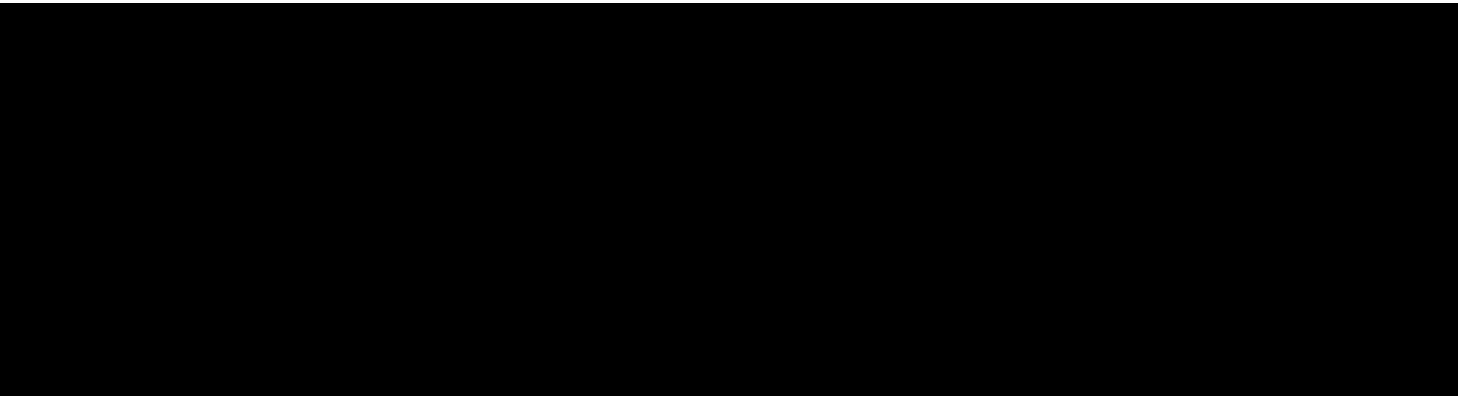
[REDACTED],

[REDACTED]

[REDACTED]

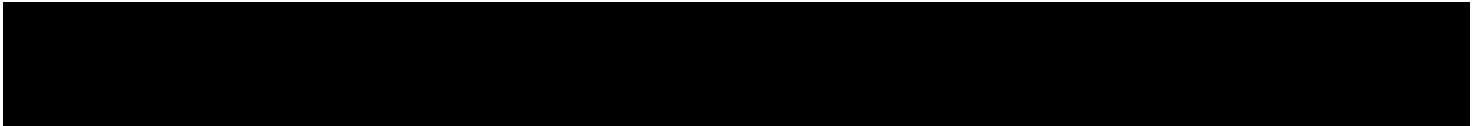
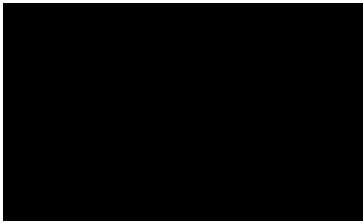
[REDACTED]





Let me know if you need anything else specifically and I'll get it to you ASAP. Also, I just looped in my boss and he's on-board with anything needed if you want me to pick up where I left off with her. I'll reach out to [REDACTED] on the other piece in a bit.

**Very Respectfully,**





**FEDERAL BUREAU OF INVESTIGATION**  
**Electronic Communication**

**Title:** (U// [REDACTED]) Case Closing Concurrence

**Date:** 04/23/2019

**CC:** [REDACTED]

**From:** COUNTERINTELLIGENCE

D5-[REDACTED]

**Con:** [REDACTED], [REDACTED]

**Approved By:** U [REDACTED]

**Drafted By:** [REDACTED]

**Case ID #:** [REDACTED] (U) RESTRICTED - Access Denied

**Synopsis:** (U// [REDACTED]) To document [REDACTED] concurrence to close captioned investigation.

**Reason:** [REDACTED]

**From:** [REDACTED]

**fy On:** [REDACTED]

**Reference:** [REDACTED]

**Package Copy:** (U// [REDACTED]) LHM to DOJ with closing notification.

**Enclosure(s):** Enclosed are the following items:

1. (U// [REDACTED]) Closing LHM for DOJ.

**Details:**

[REDACTED]

[REDACTED]

Title: (U// [REDACTED] Case Closing Concurrence  
Re: [REDACTED], 04/23/2019

(U// [REDACTED] Based on the information outlined below, this communications provides [REDACTED] Section Chief concurrence to close the captioned investigation.

(U// [REDACTED] During the course of an FBI investigation into the media leak of the FBI FISA on Carter Page, James Anthony Wolfe, the Director of Security for the Senate Select Committee on Intelligence (SSCI), was identified as an individual with possible access to the Page FISA. [REDACTED]

[REDACTED] Watkins was identified during the FBI media leak investigation as having written an article on Carter Page. This article possibly contained information from the Page FISA, which Wolfe possibly had access to.

(U// [REDACTED] WFO conducted record searches with the [REDACTED]. According to [REDACTED], Watkins and Wolfe traveled [REDACTED]. Watkins and Wolfe also traveled together [REDACTED]. Additionally [REDACTED] Watkins and Wolfe traveled [REDACTED].

(U// [REDACTED] Watkins authored numerous articles for several news publications since approximately March 2014. It appeared from Watkins' articles, her specialized reporting primarily covered SSCI. Based on the contact between Watkins and Wolfe, who may have accessed the Carter Page FISA information, coupled with Watkins' reporting of the FISA and other SSCI matters, the FBI opened a Full Investigation on Wolfe code named RIDING HOOD (RH). The RH investigation was initiated to determine if Wolfe provided Watkins with classified information, to include information on the FBI FISA on Carter Page.

[REDACTED]

Title: (U// [REDACTED] Case Closing Concurrence  
Re: [REDACTED], 04/23/2019

(U// [REDACTED] On October 30, 2017, Wolfe met with the FBI for a voluntary meeting regarding the FBI Page FISA. During the meeting [REDACTED]  
[REDACTED]  
[REDACTED]

(U// [REDACTED] On December 15, 2017, Wolfe conducted a voluntary interview with the FBI. During the interview Wolfe provided false statements related to his contact and relationship with Watkins and other members of the media. On January 11, 2018, the FBI executed a Federal Search and Seizure Warrant for Wolfe's two personal cell phones. During the search, Wolfe voluntarily agreed to speak with the FBI again. During the interview Wolfe again lied to FBI Agents regarding his contact and relationship with several members of the media.

(U) On June 7, 2018, United States Magistrate Judge Robin M. Meriweather of the U.S. District Court for the District of Columbia (USDC-DC) issued an arrest warrant for Wolfe based on a criminal indictment for three counts of 18 U.S.C. 1001 False Statement. On June 7, 2018, Wolfe was arrested without incident at his residence.

(U) On October 15, 2018, James A. Wolfe appeared before United States District Court for the District of Columbia Judge Ketanji Brown Jackson and plead guilty to count three of the indictment, charging Wolfe with False Statements, in violation of Title 18 United States Code 1001(a)(2).

[REDACTED] During the course of the FOGGY FALLS investigation, Wolfe was identified as possibly having access to the FBI Carter Page FISA application and first renewal. Also during the timeframe, Wolfe possibly had access, he was in constant contact with Watkins. On April 3, 2017, Watkins published an article in BuzzFeed News which unmasked Page as "Male 1" in the Department of Justice (DOJ) Southern District of New York Complaint for Evgeny Buryakov, Igor Sporyshev, and Victor Podobnyy. It was the FBI's theory that Watkins' article could have assisted Ellen Nakashima's Washington Post April 11, 2017 article, which was the predication for the FOGGY FALLS investigation. The  
[REDACTED]  
[REDACTED]

[REDACTED]

Title: (U// [REDACTED] Case Closing Concurrence  
Re: [REDACTED], 04/23/2019

[REDACTED]

the FBI was unable to definitively prove that fact; therefore, Wolfe was not charge with mishandling classified information. Additionally, the RIDING HOOD investigation was unable to identify if Wolfe had provided Nakashima with any information related to the FBI Page FISA application and first renewal.

(U// [REDACTED] During the course of this investigation, WFO proved Wolfe provided false statements to the FBI concerning whether he had provided unclassified SSCI "Committee Sensitive" information to Watkins and three additional reporters. By his guilty plea, Wolfe admitted to making false statements to the FBI about his contacts with Watkins and three additional reporters. Additionally WFO proved on October 16, 2017, and again on October 24, 2017, Wolfe provided a particular reporter with SSCI "Committee Sensitive" information concerning Carter Page who had been subpoenaed to testify before the SSCI. WFO corroborated the case predication by confirming Wolfe's contact with Watkins as her source on some SSCI matters.

(U) On December 20, 2018, Wolfe was sentenced to 2 months in prison, 4 months probation, community service, and a \$7500 fine, for one count of violating 18 USC 1001 (Lying to a Federal Agent).

◆◆

[REDACTED]

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



(U// [REDACTED]) Date: April 6, 2019

(U// [REDACTED]) Report: Closing Letterhead Memorandum

(U// [REDACTED]) Investigation: RIDING HOOD

(U// [REDACTED])        Preliminary Investigation (PI)  
  X   Full Investigation (FI)

  X   Single subject  
       Multi-subject  
       Enterprise  
       Foreign intelligence collection

(U// [REDACTED]) FI Initiated: 02/05/2015

(U// [REDACTED]) I. Background/Predication for the Investigation:

(U// [REDACTED]) During the course of an FBI investigation into the media leak of the FBI FISA on Carter Page, James Anthony Wolfe, the Director of Security for the Senate Select Committee on Intelligence (SSCI), was identified as an individual with possible access to the Page FISA.

[REDACTED]

[REDACTED]

[REDACTED]. Watkins was identified during the FBI media leak investigation as having written an article on Carter Page. This article possibly contained information from the Page FISA, which Wolfe possibly had access to.

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

[REDACTED]

(U// [REDACTED]

[REDACTED] WFO conducted record searches with the [REDACTED]. According to [REDACTED], Watkins and Wolfe traveled [REDACTED]. Watkins and Wolfe also traveled together [REDACTED]. Additionally [REDACTED] Watkins and Wolfe traveled [REDACTED]

(U// [REDACTED] Watkins authored numerous articles for several news publications since approximately March 2014. It appeared from Watkins' articles, her specialized reporting primarily covered SSCI. Based on the contact between Watkins and Wolfe, who may have accessed the Carter Page FISA information, coupled with Watkins' reporting of the FISA and other SSCI matters, the FBI opened a Full Investigation on Wolfe code named RIDING HOOD (RH). The RH investigation was initiated to determine if Wolfe provided Watkins with classified information, to include information on the FBI FISA on Carter Page.

(U// [REDACTED] On October 30, 2017, Wolfe met with the FBI for a voluntary meeting regarding the FBI Page FISA. During the meeting [REDACTED]

[REDACTED]

(U) **II. Conclusion**

(U// [REDACTED] On December 15, 2017, Wolfe conducted a voluntary interview with the FBI. During the interview Wolfe provided false statements related to his contact and relationship with Watkins and other members of the media. On January 11, 2018, the FBI executed a Federal Search and Seizure Warrant for Wolfe's two personal cell phones. During the search, Wolfe voluntarily agreed to speak with the FBI again. During the interview Wolfe

[REDACTED]

again lied to FBI Agents regarding his contact and relationship with several members of the media.

(U) On June 7, 2018, United States Magistrate Judge Robin M. Meriweather of the U.S. District Court for the District of Columbia (USDC-DC) issued an arrest warrant for Wolfe based on a criminal indictment for three counts of 18 U.S.C. 1001 False Statement. On June 7, 2018, Wolfe was arrested without incident at his residence.

(U) On October 15, 2018, James A. Wolfe appeared before United States District Court for the District of Columbia Judge Ketanji Brown Jackson and plead guilty to count three of the indictment, charging Wolfe with False Statements, in violation of Title 18 United States Code 1001(a)(2).

[REDACTED] During the course of the FOGGY FALLS investigation, Wolfe was identified as possibly having access to the FBI Carter Page FISA application and first renewal. Also during the timeframe, Wolfe possibly had access, he was in constant contact with Watkins. On April 3, 2017, Watkins published an article in BuzzFeed News which unmasked Page as "Male 1" in the Department of Justice (DOJ) Southern District of New York Complaint for Evgency Buryakov, Igor Sporyshev, and Victor Podobnyy. It was the FBI's theory that Watkins' article could have assisted Ellen Nakashima's Washington Post April 11, 2017 article, which was the predication for the FOGGY FALLS investigation. [REDACTED]

[REDACTED] the FBI was unable to definitively prove that fact; therefore, Wolfe was not charge with mishandling classified information. Additionally, the RIDING HOOD investigation was unable to identify if Wolfe had provided Nakashima with any information related to the FBI Page FISA application and first renewal.



[REDACTED]

(U// [REDACTED] During the course of this investigation, WFO proved Wolfe provided false statements to the FBI concerning whether he had provided unclassified SSCI "Committee Sensitive" information to Watkins and three additional reporters. By his guilty plea, Wolfe admitted to making false statements to the FBI about his contacts with Watkins and three additional reporters. Additionally WFO proved on October 16, 2017, and again on October 24, 2017, Wolfe provided a particular reporter with SSCI "Committee Sensitive" information concerning Carter Page who had been subpoenaed to testify before the SSCI. WFO corroborated the case predication by confirming Wolfe's contact with Watkins as her source on some SSCI matters.

(U) On December 20, 2018, Wolfe was sentenced to 2 months in prison, 4 months probation, community service, and a \$7500 fine, for one count of violating 18 USC 1001 (Lying to a Federal Agent).

(U// [REDACTED] The FBI WFO point of contact for this investigation is SA [REDACTED], [REDACTED].



**FEDERAL BUREAU OF INVESTIGATION**  
**Electronic Communication**

**Title:** (U// [REDACTED]) Closing RIDING HOOD

**Date:** 07/17/2019

**From:** WASHINGTON FIELD

WF- [REDACTED]

**Con:** [REDACTED], [REDACTED]

**Approved By:** SSA [REDACTED]

**Drafted By:** [REDACTED]

**Case ID #:** [REDACTED] [REDACTED] RIDING HOOD;  
EAK

**Applied to all Subfiles:** Yes

**DOCUMENT RESTRICTED TO CASE PARTICIPANTS**

This document contains information that is restricted to case participants.

**Synopsis:** (U// [REDACTED]) To document the closing of the RIDING HOOD investigation.

**Reason:** [REDACTED]  
[REDACTED]  
[REDACTED]

**ify On:** [REDACTED]

**Details:**

On 23 April 2019, FBI HQ [REDACTED] provided concurrence to close captioned investigation. Therefore, WFO is closing captioned investigation.

♦♦



**FEDERAL BUREAU OF INVESTIGATION**  
**Electronic Communication**

**Title:** [REDACTED] Opening Electronic Communication  
[REDACTED] SIRENS LURE

**Date:** 08/14/2017

**From:** WASHIN N FIELD  
WF-[REDACTED]  
**Con** : [REDACTED], [REDACTED]

**Approved By:** SSA DARGIS MARK B

**Drafted By:** [REDACTED]

**Case ID #:** [REDACTED] [REDACTED] SIRENS LURE;  
[REDACTED] EAK;  
[REDACTED] - VICTIM AGENCY

**Synopsis:** [REDACTED] To open media leak investigation based on  
information provide [REDACTED] ice, National Security  
Division regarding [REDACTED]

**Reason:** [REDACTED]  
[REDACTED]  
[REDACTED]

**Full Investigation Initiated:** 08/14/2017

**Enclosure(s):** Enclosed are the following items:

1. [REDACTED] DOJ Memorandum referencing [REDACTED]

**Details:**

[REDACTED] FBI Washington Field Office (WFO), [REDACTED], opened the captioned full investigation based on [REDACTED], DOJ/CES Reference No. CR-17-038 (2) dated 23 June 2017, reporting the unauthorized disclosure of [REDACTED] classified information in a total of eight (8) Washington Post articles published between April and June 2017. Subject matter experts [REDACTED]

[REDACTED]

Title: [REDACTED] Opening Electronic Communication for SIRENS LURE  
Re: [REDACTED], 08/14/2017

determined the articles disclosed [REDACTED] information up to the [REDACTED]  
[REDACTED] level.

[REDACTED] The captioned investigation is predicated on the following  
three (3) articles referenced in [REDACTED]:

1. Matt Zapotosky, Sari Horwitz, Devlin Barrett, and Adams Entous,  
"Jared Kushner Now a Focus in Russia Investigation," Washington Post  
(25 May 2017)
2. Ellen Nakashima, Adam Entous, and Greg Miller, "Russian Ambassador  
Told Moscow that Kushner Wanted Secret Communications Channel with  
Kremlin," Washington Post (26 May 2017)
3. David Filipov, Amy Brittain, Rosalind Helderma, and Tom Hamburger,  
"Explanations for Kushner's Meeting with Head of Kremlin-linked Bank  
Don't Match Up," Washington Post (1 June 2017).

[REDACTED] WFO, [REDACTED] is opening the captioned investigation based on  
recommendations from [REDACTED]. Supplemental predicated information  
including the other articles referenced in the aforementioned [REDACTED]  
[REDACTED] is forthcoming.

(U [REDACTED]) The WFO [REDACTED] Point of Contact for this investigation is  
Special Agent [REDACTED], telephone number [REDACTED].

◆◆



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  
[REDACTED]  
Counterintelligence Division  
Federal Bureau of Investigation

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

RE: (U) [REDACTED]  
DOJ/CES Reference No. CR-17-038 (2)

[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 three articles listed below (articles 4, 5, and 7 in the June 23 [REDACTED]). Other articles referenced in [REDACTED] will be addressed in separate correspondence.

- Matt Zapotosky, Sari Horwitz, Devlin Barrett, and Adam Entous, "Jared Kushner Now a Focus in Russia Investigation," *Washington Post* (25 May 2017)
- Ellen Nakashima, Adam Entous, and Greg Miller, "Russian Ambassador Told Moscow that Kushner Wanted Secret Communications Channel with Kremlin," *Washington Post* (26 May 2017)
- David Filipov, Amy Brittain, Rosalind Helderman, and Tom Hamburger, "Explanations for Kushner's Meeting with Head of Kremlin-linked Bank Don't Match Up," *Washington Post* (1 June 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].



**FEDERAL BUREAU OF INVESTIGATION**  
**Import Form**

**Form Type:** LHM

**Date:** 08/15/2017

**Title:** [REDACTED] SIRENS LURE Opening LHM

**Approved By:** A/SSA [REDACTED]

**Drafted By:** [REDACTED]

**Case ID #:** [REDACTED] [REDACTED] SIRENS LURE;  
MEDIA LEAK;  
[REDACTED] - VICTIM AGENCY

**Synopsis:** [REDACTED] SIRENS LURE Opening LHM

**Reason:** [REDACTED]  
[REDACTED]  
[REDACTED]

♦♦

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



(U [REDACTED]) Date: 14 August 2017

(U [REDACTED]) Report: INITIATION OF INVESTIGATION LHM

[REDACTED] Investigation: SIRENS LURE

(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: 14 August 2017

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

     A. Full on USPER

  X   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]) 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:*

[REDACTED] FBI Washington Field Office (WFO), [REDACTED], opened the captioned full investigation based on [REDACTED], DOJ/CES Reference No. CR-17-038 (2) dated 23 June 2017, reporting the unauthorized disclosure of [REDACTED] classified information in a total of eight (8) articles published between April and June 2017. Subject matter experts determined the articles disclosed [REDACTED] information up to the [REDACTED] level.

[REDACTED] The captioned investigation is predicated on the following three (3) Washington Post articles referenced in [REDACTED]:

1. Matt Zapotosky, Sari Horwitz, Devlin Barrett, and Adams Entous, "Jared Kushner Now a Focus in Russia Investigation," Washington Post (25 May 2017)

2. Ellen Nakashima, Adam Entous, and Greg Miller, "Russian Ambassador Told Moscow that Kushner Wanted Secret Communications Channel with Kremlin," Washington Post (26 May 2017)

3. David Filipov, Amy Brittain, Rosalind Helderma, and Tom Hamburger, "Explanations for Kushner's Meeting with Head of Kremlin-linked Bank Don't Match Up," Washington Post (1 June 2017).

██████████ In consultation with the NSLB and WFO CDC, WFO was advised to open this investigation as a Sensitive Investigative Matter to accomplish DOJ's directive to make an assessment of this case.

(U ██████████) The WFO ██████████ Point of Contact for this investigation is Special Agent ██████████, telephone number ██████████.

(U ██████████) The FBIHQ/██████████ Point of Contact (PoC) for the captioned matter is Supervisory Special Agent (SSA) ██████████. SSA ██████████ can be reached at ██████████ or ██████████.

██████████ 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
- ☒ 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.

♦♦



**FEDERAL BUREAU OF INVESTIGATION**

**Import Form**

**Form Type:** LHM - Letter Head Memorandum

**Date:** 09/11/2017

**Title:** (U [REDACTED]) LHM Providing Notification of Case Opening and SIM designation to DOJ

**Approved By:** A/UC [REDACTED]

**Drafted By:** [REDACTED]

**Case ID #:** [REDACTED]

[REDACTED] SIRENS LURE;

[REDACTED] IA LEAK;

[REDACTED] - VICTIM AGENCY;

[REDACTED] NSITIVE INVESTIGATIVE MATTER (SIM)

**Synopsis:** (U [REDACTED]) Letterhead Memorandum provides notification of case opening and SIM designation to the Department of Justice National Security Division.

**Enclosure(s):** Enclosed are the following items:

1. (U [REDACTED]) E-mail transmitting opening LHM to DOJ.

**Reason:** [REDACTED]

♦♦

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



(U [REDACTED]) Date: 8 September 2017

(U [REDACTED]) Report: INITIATION OF INVESTIGATION LHM

[REDACTED] Investigation: SIRENS LURE

(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: 14 August 2017

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

  X   A. Full on USPER

  X   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]) 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:*

[REDACTED] FBI Washington Field Office (WFO), [REDACTED], opened the captioned full investigation based on [REDACTED], DOJ/CES Reference No. CR-17-038 (2) dated 23 June 2017, reporting the unauthorized disclosure of [REDACTED] classified information in a total of eight (8) articles published between April and June 2017. Subject matter experts determined the articles disclosed [REDACTED] information up to the [REDACTED] level.

[REDACTED] The captioned investigation is predicated on the following three (3) Washington Post articles referenced in [REDACTED]:

1. Matt Zapotosky, Sari Horwitz, Devlin Barrett, and Adams Entous, "Jared Kushner Now a Focus in Russia Investigation," Washington Post (25 May 2017)

2. Ellen Nakashima, Adam Entous, and Greg Miller, "Russian Ambassador Told Moscow that Kushner Wanted Secret Communications Channel with Kremlin," Washington Post (26 May 2017)

3. David Filipov, Amy Brittain, Rosalind Helderma, and Tom Hamburger, "Explanations for Kushner's Meeting with Head of Kremlin-linked Bank Don't Match Up," Washington Post (1 June 2017).

██████████ In consultation with the NSLB and WFO CDC, WFO was advised to open this investigation as a Sensitive Investigative Matter to accomplish DOJ's directive to make an assessment of this case.

(U ██████████) The WFO ██████████ Point of Contact for this investigation is Special Agent ██████████, telephone number ██████████.

(U ██████████) The FBIHQ/██████████ point of contact for the captioned matter is Supervisory Special Agent (SSA) ██████████. SSA ██████████ can be reached at ██████████ or ██████████.

██████████ *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
  - ☒ 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.

◆◆



**From:** [REDACTED] (CD) (FBI)  
**To:** [REDACTED]  
**Cc:** [DARGIS, MARK B. \(WF\) \(FBI\); \[REDACTED\] \(WF\) \(FBI\); \[REDACTED\] \(WF\) \(FBI\); \[REDACTED\] \(WF\) \(FBI\); \[REDACTED\] \(WF\) \(FBI\); \[REDACTED\] \(WF\) \(FBI\);](#)  
**Subject:** Case Opening and SIM Notification --- [REDACTED]  
**Date:** Friday, September 08, 2017 4:23:00 PM  
**Attachments:** [SIRENS LURE - \[REDACTED\] LHM.pdf](#)

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Classification: [REDACTED]

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

=====

TRANSITORY RECORD

Sir/Ma'am,

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 SIRENS LURE 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 and District of Columbia US Attorney's Office (copied) are already aware of the existence of the SIRENS LURE investigation.

Please confirm receipt of this LHM.

Best,

[REDACTED]

SSA [REDACTED]

FBIHQ [REDACTED]

Counterintelligence Division

Unclass E-mail: [REDACTED]

FBINET E-mail: [REDACTED]

[REDACTED] E-mail: [REDACTED]

Desk: [REDACTED]

Mobile: [REDACTED]

=====  
Classification: [REDACTED]=====



**FEDERAL BUREAU OF INVESTIGATION**  
**Electronic Communication**

**Title:** (U) Request FBIHQ CD [REDACTED] Concurrence to  
Close Captioned Case

**Date:** 05/11/2021

**From:** WASHINGTON FIELD

WF-[REDACTED]

**Con:** [REDACTED], [REDACTED]

**Approved By:** [REDACTED]

**Drafted By:** [REDACTED]

**Case ID #:** [REDACTED] [REDACTED] SIRENS LURE;  
[REDACTED] MEDIA LEAK;  
[REDACTED] - VICTIM AGENCY;  
SENSITIVE INVESTIGATIVE MATTER (SIM)

**Synopsis:** (U) [REDACTED] Request FBIHQ CD [REDACTED]  
concurrence to close captioned case

**Reason:** [REDACTED]  
**Derived From:** [REDACTED]  
**Declassify On:** [REDACTED]

**Details:**

**(U) Overview**

(U) [REDACTED] The purpose of this communication is to recommend closing the captioned full investigation regarding unauthorized public disclosures of classified USG information related to Russia's interference with the 2016 U.S. presidential election. The classified information was contained in seven news articles published by Washington Post, New York Times and CNN between May and July 2017.

(U) [REDACTED] In coordination with USAO DC, DOJ CES, and FBIHQ, FBI

Title: (U) Request FBIHQ CD [REDACTED] Concurrence to Close Captioned Case  
Re: [REDACTED], 05/11/2021

Washington Field Office (WFO) believes all logical investigative techniques have been exhausted and is seeking concurrence from CD-[REDACTED] (Counterintelligence Division-[REDACTED]) for such closing. The following provides justification for this recommendation in accordance with the Domestic Investigations and Operations Guide (DIOG) 7.12 and Counterintelligence Division Policy Guide (CD PG) [REDACTED]

**(U) Investigation Summary**

[REDACTED] On August 14, 2017, captioned investigation was opened to identify the sources of unauthorized disclosures of classified information up to the [REDACTED] level related to Russia's interference with the 2016 U.S. presidential election. The classified material was contained in seven news articles published by Washington Post, New York Times and CNN between May and July 2017.

[REDACTED] WFO initially identified over 192 individuals in the subject pool. Given the expansive size of the subject pool, which included persons across the Intelligence Community (IC) and within Congress, WFO prioritized investigative resources based on when different categories of subjects gaining access to the compromised classified information compared to when the classified material was leaked. In the investigators' training and experience, this number certainly undercounts the actual number of persons who had access to the classified information given how widely the information had been disseminated to the FBI, [REDACTED], the White House, and to Congress.

[REDACTED] As part of its investigation, WFO conducted "spin-searches" of [REDACTED] and WFO email and phone records to identify contacts with the journalists who wrote the articles and conducted over 44 interviews of [REDACTED] and FBI employees. The investigative team also [REDACTED] None of these investigative steps created substantial leads that merited

Title: (U) Request FBIHQ CD [REDACTED] Concurrence to Close Captioned Case  
Re: [REDACTED], 05/11/2021

additional focus or follow-up.

[REDACTED] Some of the disclosures occurred shortly after a "Read Room" was established at [REDACTED] for members and staffers of the Senate Select Committee on Intelligence (SSCI) and the House Permanent Select Committee on Intelligence (HPSCI) to review the classified information, which was released in the aforementioned publications. A former HPSCI staffer contacted the FBI and reported that a former HPSCI Staff Director, a main person of interest (POI), directed HPSCI staffers to leak classified information in 2017. [REDACTED]

(U [REDACTED]) The POI left the HPSCI staff [REDACTED], shortly after publication of one of the articles disclosing the classified information, and prior to the publication of others containing classified information.

(U [REDACTED]) On May 14, 2020, WFO interviewed the POI for over three hours. The POI freely admitted to contact with the media as part of his job responsibilities and denied leaking any classified information. The POI stated he had access to the classified materials and regular contact with reporters on his HPSCI-issued cell phone number well before April 2017, which WFO [REDACTED]. Therefore, the timeline of events was much less significant than previously believed. Based on the evidence and interview, the investigative team concurred it was unlikely the POI was the source of the unauthorized disclosures. WFO continued to exhaust investigative steps outlined below, which did not yield any other leads.

[REDACTED]

[REDACTED]

Title: (U) Request FBIHQ CD [REDACTED] Concurrence to Close Captioned Case  
Re: [REDACTED], 05/11/2021

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Title: (U) Request FBIHQ CD [REDACTED] Concurrence to Close Captioned Case  
Re: [REDACTED], 05/11/2021

[REDACTED]

(U [REDACTED]) [REDACTED]  
[REDACTED]. Also, after interviewing the  
POI, WFO attempted to speak with another former staffer from HPSCI, but  
HPSCI counsel intervened and objected to any interview in a criminal  
investigation without further information from WFO based on Speech or  
Debate privileges. Further investigative efforts involving former or  
current Congress members or staffers would have certainly required  
advanced coordination and waivers through their legal counsel due to the  
Speech or Debate privilege. This coordination process would require  
disclosing details of the investigation in advance and legal counsel  
participation in interviews. The investigative team assessed a waiver was  
not likely and ultimately decided not to seek interviews of these  
persons. By contrast, the POI, was interviewed before HPSCI counsel  
became aware of the interview, and provided substantial information  
during the voluntary interview.

[REDACTED]

Concurrence

\_\_\_\_\_

(U )

As outlined above, many members of the subject pool, including members of Congress and their staff, would have had legitimate reasons for contacting the reporters, including for benign stories that did not contain any classified information. The only way to determine whether they potentially shared classified information would be to reveal the content of their communications, which would require serving a search warrant on their or the reporters' accounts. [REDACTED]

•

(U [REDACTED]) At this point, the only remaining logical steps are to (i) conduct interviews of the remaining 192 persons in the subject pool as well as clearance holders who had contact with the reporters and *might* have had access to the classified information, as well as the other clearance holders who had contact with the reporters during the period but who were not confirmed to be part of the subject pool or (ii) go overt and seek access to Speech or Debate-privileged material such as documents or emails showing access to or discussions of the classified information. The team assesses that House counsel is unlikely to provide



Title: (U) Request FBIHQ CD [REDACTED] Concurrence to Close Captioned Case  
Re: [REDACTED], 05/11/2021

this information voluntarily and that it is likely protected by the Speech or Debate Clause. Given that the team has not developed any other data or theories to narrow the subject pool, WFO requests closure of the case.

#### **(U) Overview of Investigative Steps**

[REDACTED] While the investigation primarily focused on the POI, the investigative team employed a variety of techniques to identify leads and other persons of interest:

- [REDACTED]
- Conducted over 40 USIC interviews
- Coordinated and conducted internal data pulls from FBI [REDACTED], [REDACTED], [REDACTED], DOJ OIG, DOJ [REDACTED] related to contacts with the reporters and classified information
- Conducted open source analysis to compile timelines and supporting documentation
- [REDACTED]
- [REDACTED]
- Coordinated with [REDACTED]
- Reviewed classified materials provided by victim agency
- Reviewed U.S. Department of Justice's Inspector General (DOJ-IG) reports

(U) The investigative team consisted of FBI [REDACTED], FBIHQ CD-[REDACTED], the United States Attorney's Office for the District of Columbia (USAO DC) and the Counterintelligence and Export Control Section (CES) of the National Security Division. The following investigative actions were coordinated through the investigative team and completed:

*(U) Determination of Breadth of Dissemination and Subject Pool*

Title: (U) Request FBIHQ CD [REDACTED] Concurrence to Close Captioned Case  
Re: [REDACTED], 05/11/2021

(U) WFO identified over 192 individuals across the Intelligence Community who had access to the compromised classified information, including persons in Federal Bureau of Investigation (FBI), Department of Justice (DOJ), [REDACTED] United States Congress "Gang of Eight," members and staffers of SSCI and HPSCI, and White House officials. This number does not include individuals made aware of the information through oral briefings, discussions, or other means in the course of their job duties.

[REDACTED] Based on interviews and OGA-provided data, FBI assesses the extent of knowledge of the classified materials is substantially greater than the list of individuals identified through read-in logs across the IC and interviews. For example, the FBI understands the Russia inquiry oversight staff and HPSCI and SSCI members would have broad conversations about the classified material after initial read-ins in their classified spaces. Therefore, there is no way to determine the full scope of dissemination prior to its release.

*(U) Internal Audits and Record Review of Communication Systems*

(U [REDACTED]) FBI reviewed mass quantities of data, which included over 10,000 internal government email, call, and Lync message records in coordination with case agents assigned to other consolidated media leak cases at WFO and case agents of other media leak investigations. The records provided background information for timeline purposes, but was not successful in narrowing down any persons of interest in the subject pool.

Title: (U) Request FBIHQ CD [REDACTED] Concurrence to Close Captioned Case  
Re: [REDACTED], 05/11/2021

- [REDACTED] WFO requested FBI [REDACTED] FBI [REDACTED] conduct searches of all [REDACTED] FBI [REDACTED] onic (hardline and cell) and email systems to identify which FBI employees were in contact with relevant reporters and identify relevant text messages and email communications. FBI also manually reviewed entire data sets including UNET mailboxes, FBINET mailboxes, call logs, text logs, Lync logs, and UNET Exchange logs for key FBI employees in the subject pool. The data sets were not only queried for known media selectors but analyzed for suspicious activity and patterns.
- [REDACTED]
- (U [REDACTED]) WFO requested and reviewed information provided by the DOJ [REDACTED], in which searches of media selectors against all telephonic and email systems for media and suspicious activity were completed. [REDACTED] also provided full work email content for key DOJ employees in the subject pool for more thorough review of email communication for lead value.
- (U [REDACTED]) In coordination with other field offices and FBIHQ, WFO researched and compiled a comprehensive list of hundreds of media selectors to ensure the above mentioned searches would be thorough and capture as much data as possible.

*(U) Open Source Analysis*

(U) FBI conducted broad open source research and analysis to identify information related to the captioned investigation. While reporting on the topic was voluminous and helpful for timeline purposes, none of the information advanced the investigation.



Title: (U) Request FBIHQ CD [REDACTED] Concurrence to Close Captioned Case  
Re: [REDACTED], 05/11/2021

[REDACTED]

(U) Because of the senior positions of most of the prioritized subject pool, many had official purposes for contacting the media as part of their job duties. Without sufficient probable cause to pursue [REDACTED], it is impossible to determine if the nature of the media contact was legitimate or nefarious.

[REDACTED]

[REDACTED]

(U) Without any additional derogatory information to narrow down a target or meet the probable cause threshold, [REDACTED]

[REDACTED]

*(U) Coordination and analysis of Consolidated Media Leak Cases*

(U) FBI coordinated with all consolidated media leak investigative teams (TROPIC VORTEX, ECHOS FATE, FOGGY FALLS, GENETIC CHRISTMAS, and ARCTIC HAZE) to ensure any overlapping relevant information was identified, shared, and exploited. FBI reviewed all interview records to identify all relevant SIRENS LURE material and completed a review of evidence items for any potential lead value.

**(U) Investigative Challenges**

(U) The investigative team faced the following obstacles during the course of the investigation:

Title: (U) Request FBIHQ CD [REDACTED] Concurrence to Close Captioned Case  
Re: [REDACTED], 05/11/2021

*(U) Broad Scope of Dissemination*

(U) There is no way to fully determine the scope of dissemination of the classified information, since [REDACTED] does not capture all individuals exposed to the material indirectly or through oral discussion. In this case, access to the classified information spanned across the IC, incoming and outgoing White House Administrations, and Congress. Additionally, the information was disseminated in seven different news articles at multiple publications, making it difficult to track possible methods of dissemination to the media.

*(U) Speech or Debate Privilege*

(U) The investigative team encountered significant difficulties in obtaining information in this investigation because of claims of privilege by the Speech or Debate clause of the United States Constitution. The process of navigating Speech or Debate clause issues is a time-consuming and resource-intensive undertaking. The Speech or Debate clause is implicated because a number of individuals in the subject pool are members and staffers of HPSCI and SSCI, which presents wide-ranging investigative challenges. Extensive discussions with USAO DC and CES highlighted obstacles encountered in obtaining records from Congressional sources or related to Congress and interviewing members and staffers of HPSCI and SSCI.

(U) Any efforts to obtain electronic records (even non-content email headers) directly from Congressional sources would have certainly involved Congressional counsel and require formal Congressional consent, since these records are protected by the Speech or Debate privilege. Any efforts to obtain records related to Congress from non-Congressional sources could also arguably be covered under Speech or Debate; therefore all investigative activity had to be carefully coordinated. In addition to Congressional consent, FBI interviews of current and former members

Title: (U) Request FBIHQ CD [REDACTED] Concurrence to Close Captioned Case  
Re: [REDACTED], 05/11/2021

and staffers would have required coordination between DOJ and Congress in advance to include sharing the context of the interviews with HPSCI/SSCI and arranging to have HPSCI/SSCI attorneys present for all interviews. The investigative team did not pursue these interviews because the consensus was that public disclosure of the investigation would impede the investigation and the integrity of the interviews. When the investigative team attempted to interview a former HPSCI employee, HPSCI Counsel asserted the Speech or Debate privilege and stated advanced coordination and a waiver was required. It was further unlikely that a Speech or Debate waiver would have been forthcoming because the Classified Information was politically sensitive and that some in Congress had viewed this investigation as being politically motivated.

[REDACTED]

*(U) Restrictions on Use of Victim Agency Data*

[REDACTED] The investigative team and prosecution team faced difficulties in obtaining predicated material due to the extremely sensitive nature of the classified material. [REDACTED]

Title: (U) Request FBIHQ CD [REDACTED] Concurrence to Close Captioned Case  
Re: [REDACTED], 05/11/2021

[REDACTED] To avoid any further compromise of the  
predicating material, [REDACTED]

[REDACTED] Because access was  
limited, analysis of records took longer and was more tedious than if  
electronic copies were provided to the investigative team. [REDACTED]

[REDACTED] These procedures limited the  
FBI's ability to promptly and efficiently review and analyze  
investigative data.

*(U) Timeliness*

(U) WFO has been investigating these disclosures since August 2017. Much  
of the background data and details relevant to the investigation have  
been published in the news, which has made it difficult for interviewees  
to parse out what they remember as opposed to what they have seen or  
heard in the media. When a significant amount of time has passed since  
the crime, it impacts the ability of interviewees to recall details  
accurately and makes it more difficult to obtain evidence of the crime.

[REDACTED] Due to the sensitivity of information compromised, [REDACTED]  
[REDACTED] did not immediately grant permission to conduct interviews  
[REDACTED]  
[REDACTED]. These processes delayed investigative activity since the onset of  
the investigation.

*(U) Lack of Insight into Methods of Transmitting Classified Information*

(U) Analysis of records is primarily limited to overt communications. The  
abundance of ways an individual could transmit classified information  
complicates investigative efforts. To evade law enforcement detection,  
the following techniques could be used: using a different phone, in-  
person meetings, the use of encrypted mobile messaging applications,



Title: (U) Request FBIHQ CD [REDACTED] Concurrence to Close Captioned Case  
Re: [REDACTED], 05/11/2021

"drop" phones, or sending electronically anonymously on a publication's website.

**(U) Conclusion**

(U [REDACTED]) Due to the inability to narrow the subject pool and lack of other logical investigative steps, WFO has exhausted all leads in furtherance of captioned case. Because there is no way to accurately scope the subject pool, additional techniques will not be effective in advancing the case and there is insufficient evidence [REDACTED]

(U [REDACTED]) Investigative efforts have failed to identify the source or sources of the unauthorized disclosures. 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.

◆◆



**FEDERAL BUREAU OF INVESTIGATION**  
**Import Form**

**Form Type:** EMAIL - Email

**Date:** 05/12/2021

**Title:** [REDACTED] Notification of Case Closing

**Approved By:** [REDACTED]

**Drafted By:** [REDACTED]

**Case ID #:** [REDACTED] [REDACTED] SIRENS LURE;  
[REDACTED] MIA LEAK;  
[REDACTED] - VICTIM AGENCY;  
[REDACTED] SENSITIVE INVESTIGATIVE MATTER (SIM)

**Synopsis:** [REDACTED] Notification of Case Closing

**Enclosure(s):** Enclosed are the following items:

1. [REDACTED] Closing LHM.SL.5.11.20.docx

**Reason:** [REDACTED]

**Derived** [REDACTED]

**Declassify On:** [REDACTED]

◆◆

**To:** [REDACTED]  
**Subject:** Notification of Case Closing --- [REDACTED]  
**Attachments:** Closing LHM.SL.5.11.20.docx

**SentinelCaseId:** [REDACTED]  
**SentToSentinel:** 5/11/2021 6:12:13 PM

Classification: [REDACTED]

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

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

Please find attached notification of FBI case closing, code named SIRENS LURE.

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

=====  
Classification: [REDACTED]

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



(U [REDACTED]) Date: 5/11/2021

(U [REDACTED]) Report: CLOSING LETTERHEAD MEMORANDUM

(U [REDACTED]) Investigation: SIRENS LURE

(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]

- ☒ 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:

- ☒ 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]

(U [REDACTED]) *Factual Predication:*

[REDACTED] On August 14, 2017, captioned investigation was opened to identify the sources of unauthorized disclosures of classified information up to the [REDACTED] level related to Russia's interference with the 2016 U.S. presidential election. The classified material was contained in seven news articles published by Washington Post, New York Times and CNN between May and July 2017.

[REDACTED] WFO initially identified over 192 individuals in the subject pool. Given the expansive size of the subject pool, which included persons

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[REDACTED]

across the Intelligence Community (IC) and within Congress, WFO prioritized investigative resources based on when different categories of subjects gaining access to the compromised classified information compared to when the classified material was leaked. In the investigators' training and experience, this number certainly under-counts the actual number of persons who had access to the classified information given how widely the information had been disseminated to the FBI, [REDACTED], the White House, and to Congress.

[REDACTED] As part of its investigation, WFO conducted "spin-searches" of [REDACTED] and WFO email and phone records to identify contacts with the journalists who wrote the articles and conducted over 44 interviews of [REDACTED] and FBI employees. [REDACTED]

[REDACTED] None of these investigative steps created substantial leads that merited additional focus or follow-up.

[REDACTED] Some of the disclosures occurred shortly after a "Read Room" was established at [REDACTED] for members and staffers of the Senate Select Committee on Intelligence (SSCI) and the House Permanent Select Committee on Intelligence (HPSCI) to review the classified information, which was released in the aforementioned publications. A former HPSCI staffer contacted the FBI and reported that a former HPSCI Staff Director, a main person of interest (POI), directed HPSCI staffers to leak classified information in 2017. [REDACTED]

(U [REDACTED]) The POI left the HPSCI staff [REDACTED], shortly after publication of one of the articles disclosing the classified information, and prior to the publication of others containing classified information.

(U [REDACTED]) On May 14, 2020, WFO interviewed the POI for over three hours. The POI freely admitted to contact with the media as part of his job responsibilities and denied leaking any classified information. The POI stated he had access to the classified materials and regular contact with reporters on his HPSCI-issued cell phone number well before April 2017, [REDACTED]

[REDACTED]. Therefore, the timeline of events was much less significant than previously believed. Based on the evidence and interview, the investigative team concurred it was unlikely the POI was the source of the unauthorized disclosures. WFO continued to exhaust investigative steps outlined below, which did not yield any other leads.

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(U [REDACTED]) Furthermore, [REDACTED] would have had legitimate reasons to speak with the media. Also, after interviewing the POI, WFO attempted to speak with another former staffer from HPSCI, but HPSCI counsel intervened and objected to any interview in a criminal investigation without further information from WFO based on Speech or Debate privileges. Further investigative efforts involving former or current Congress members or staffers would have certainly required advanced coordination and waivers through their legal counsel due to the Speech or Debate privilege. This coordination process would require disclosing details of the investigation in advance and legal counsel participation in interviews. The investigative team assessed a waiver was not likely and ultimately decided not to seek interviews of these persons. By contrast, the POI, was interviewed before HPSCI counsel became aware of the interview, and provided substantial information during the voluntary interview.

[REDACTED]

[REDACTED]



[REDACTED]

(U [REDACTED]) At this point, the only remaining logical steps are to (i) conduct interviews of the remaining 192 persons in the subject pool as well as clearance holders who had contact with the reporters and *might* have had access to the classified information, as well as the other clearance holders who had contact with the reporters during the period but who were not confirmed to be part of the subject pool or (ii) go overt and seek access to Speech or Debate-privileged material such as documents or emails showing access to or discussions of the classified information. The team assesses that House counsel is unlikely to provide this information voluntarily and that it is likely protected by the Speech or Debate Clause. Given that the team has not developed any other data or theories to narrow the subject pool, WFO requests closure of the case.

#### **(U) Overview of Investigative Steps**

[REDACTED] While the investigation primarily focused on the POI, the investigative team employed a variety of techniques to identify leads and other persons of interest:

- [REDACTED]
- Conducted over 40 USIC interviews
- Coordinated and conducted internal data pulls from FBI [REDACTED], [REDACTED], [REDACTED], DOJ OIG, DOJ [REDACTED] related to contacts with the reporters and classified information
- Conducted open source analysis to compile timelines and supporting documentation
- Conducted surveillance
- [REDACTED]
- Coordinated with [REDACTED]
- Reviewed classified materials provided by victim agency
- Reviewed U.S. Department of Justice's Inspector General (DOJ-IG) reports

(U) The investigative team consisted of FBI [REDACTED], FBIHQ CD-[REDACTED], the United States Attorney's Office for the District of Columbia (USAO DC) and the Counterintelligence and Export Control Section (CES) of the National Security Division. The following investigative actions were coordinated through the investigative team and completed:

#### **(U) Determination of Breadth of Dissemination and Subject Pool**

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[REDACTED]

[REDACTED]

(U) WFO identified over 192 individuals across the Intelligence Community who had access to the compromised classified information, including persons in Federal Bureau of Investigation (FBI), Department of Justice (DOJ), [REDACTED], [REDACTED], United States Congress "Gang of Eight," members and staffers of SSCI and HPSCI, and White House officials. This number does not include individuals made aware of the information through oral briefings, discussions, or other means in the course of their job duties.

[REDACTED] Based on interviews and OGA-provided data, FBI assesses the extent of knowledge of the classified materials is substantially greater than the list of individuals identified through read-in logs across the IC and interviews. For example, the FBI understands the Russia inquiry oversight staff and HPSCI and SSCI members would have broad conversations about the classified material after initial read-ins in their classified spaces. Therefore, there is no way to determine the full scope of dissemination prior to its release.

[REDACTED]

*(U) Internal Audits and Record Review of Communication Systems*

(U [REDACTED]) FBI reviewed mass quantities of data, which included over 10,000 internal government email, call, and Lync message records in coordination with case agents assigned to other consolidated media leak cases at WFO and case agents of other media leak investigations. The records provided background information for timeline purposes, but was not successful in narrowing down any persons of interest in the subject pool.

- (U [REDACTED]) WFO requested FBI [REDACTED] conduct searches of all known media selectors against all FBI telephonic (hardline and cell) and email systems to identify which FBI employees were in contact with relevant reporters and identify relevant text messages and email communications. FBI also manually reviewed entire data sets including UNET mailboxes, FBINET mailboxes, call logs, text logs, Lync logs, and UNET Exchange logs for key FBI employees in the subject pool. The data sets were not only queried for known media selectors but analyzed for suspicious activity and patterns.

- [REDACTED]
- (U [REDACTED]) WFO requested and reviewed information provided by the DOJ [REDACTED], in which searches of media selectors against all telephonic and email systems for media and suspicious activity were completed. [REDACTED] also provided full work email content for key DOJ employees in the subject pool for more thorough review of email communication for lead value.
- (U [REDACTED]) In coordination with other field offices and FBIHQ, WFO researched and compiled a comprehensive list of hundreds of media selectors to ensure the above mentioned searches would be thorough and capture as much data as possible.

*(U) Open Source Analysis*

(U) FBI conducted broad open source research and analysis to identify information related to the captioned investigation. While reporting on the topic was voluminous and helpful for timeline purposes, none of the information advanced the investigation.

- (U) FBI conducted open source searches of any tangential news articles either by the same publications or written by the same reporters around the relevant time period to identify leads.
- (U) FBI pulled and reviewed articles from mid-2016 through 2018 from relevant reporters to assess overt attribution and assess terminology used for unattributed sources.
- (U) FBI conducted open source searches to identify any connection between individuals in the subject pool and media, such as public events they were registered to, flattering articles referencing individuals, etc.
- [REDACTED] In coordination with victim agency, FBI compiled a comprehensive timeline of key events incorporating open source information and classified information to capture data on all disclosures related to Russian interference in 2016 U.S. presidential election and identify any trends or common themes in the leaks to narrow down likely originators.

[REDACTED]

(U [REDACTED]) Based on information provided by a former colleague, investigators prioritized [REDACTED] used by the POI. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(U) Because of the senior positions of most of the prioritized subject pool, many had official purposes for contacting the media as part of their job duties. Without sufficient probable cause to pursue [REDACTED] [REDACTED], it is impossible to determine if the nature of the media contact was legitimate or nefarious.

[REDACTED]

(U) Without any additional derogatory information to narrow down a target or meet the probable cause threshold, the FBI is unable to pursue [REDACTED] to attempt to verify the substance of each contact.

*(U) Coordination and analysis of Consolidated Media Leak Cases*

(U) FBI coordinated with all consolidated media leak investigative teams (TROPIC VORTEX, ECHOS FATE, FOGGY FALLS, GENETIC CHRISTMAS, and ARCTIC HAZE) to ensure any overlapping relevant information was identified, shared, and exploited. FBI reviewed all interview records to identify all relevant SIRENS LURE material and completed a review of evidence items for any potential lead value.

**(U) Investigative Challenges**

(U) The investigative team faced the following obstacles during the course of the investigation:

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.

[REDACTED]

*(U) Broad Scope of Dissemination*

(U) There is no way to fully determine the scope of dissemination of the classified information, since [REDACTED] does not capture all individuals exposed to the material indirectly or through oral discussion. In this case, access to the classified information spanned across the IC, incoming and outgoing White House Administrations, and Congress. Additionally, the information was disseminated in seven different news articles at multiple publications, making it difficult to track possible methods of dissemination to the media.

*(U) Speech or Debate Privilege*

(U) The investigative team encountered significant difficulties in obtaining information in this investigation because of claims of privilege by the Speech or Debate clause of the United States Constitution. The process of navigating Speech or Debate clause issues is a time-consuming and resource-intensive undertaking. The Speech or Debate clause is implicated because a number of individuals in the subject pool are members and staffers of HPSCI and SSCI, which presents wide-ranging investigative challenges. Extensive discussions with USAO DC and CES highlighted obstacles encountered in obtaining records from Congressional sources or related to Congress and interviewing members and staffers of HPSCI and SSCI.

(U) Any efforts to obtain electronic records (even non-content email headers) directly from Congressional sources would have certainly involved Congressional counsel and require formal Congressional consent, since these records are protected by the Speech or Debate privilege. Any efforts to obtain records related to Congress from non-Congressional sources could also arguably be covered under Speech or Debate; therefore all investigative activity had to be carefully coordinated. In addition to Congressional consent, FBI interviews of current and former members and staffers would have required coordination between DOJ and Congress in advance to include sharing the context of the interviews with HPSCI/SSCI and arranging to have HPSCI/SSCI attorneys present for all interviews. The investigative team did not pursue these interviews because the consensus was that public disclosure of the investigation would impede the investigation and the integrity of the interviews. When the investigative team attempted to interview a former HPSCI employee, HPSCI Counsel asserted the Speech or Debate privilege and stated advanced coordination and a waiver was required. It was further unlikely that a Speech or Debate waiver would have been forthcoming because the Classified Information was politically sensitive and that some in Congress had viewed this investigation as being politically motivated.

[REDACTED]

(U) *Restrictions on Use of Victim Agency Data*

[REDACTED] The investigative team and prosecution team faced difficulties in obtaining predicated material due to the extremely sensitive nature of the classified material. [REDACTED]

[REDACTED]. Because access was limited, analysis of records took longer and was more tedious than if electronic copies were provided to the investigative team. [REDACTED]

[REDACTED] These procedures limited the FBI's ability to promptly and efficiently review and analyze investigative data.

(U) *Timeliness*

(U) WFO has been investigating these disclosures since August 2017. Much of the background data and details relevant to the investigation have been published in the news, which has made it difficult for interviewees to parse out what they remember as opposed to what they have seen or heard in the media. When a significant amount of time has passed since the crime, it impacts the ability of interviewees to recall details accurately and makes it more difficult to obtain evidence of the crime.

[REDACTED] Due to the sensitivity of information compromised, the victim agency did not immediately grant permission to conduct interviews [REDACTED]

[REDACTED] These processes delayed investigative activity since the onset of the investigation.

(U) *Lack of Insight into Methods of Transmitting Classified Information*

(U) Analysis of records is primarily limited to overt communications. The abundance of ways an individual could transmit classified information complicates investigative efforts. To evade law enforcement detection, the following techniques could be used: using a different phone, in-person meetings, the use of encrypted mobile messaging applications, "drop" phones, or sending electronically anonymously on a publication's website.

(U [REDACTED]) Unless advised contrary by FBIHQ, FBI Washington Field Office is closing the captioned matter under: [REDACTED], National Security Investigation has been completed.

(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

(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.

♦♦





**FEDERAL BUREAU OF INVESTIGATION**  
**Electronic Communication**

**Title:** (U [REDACTED]) SIRENS LURE Closure

**Date:** 05/24/2021

**From:** WASHIN N FIELD

WF- [REDACTED]

**Con** : [REDACTED], [REDACTED]

**Approved By:** [REDACTED]

**Drafted By:** [REDACTED]

**Case ID #:** [REDACTED]

[REDACTED] SIRENS LURE;

LEAK;

[REDACTED] - VICTIM AGENCY;

SENSITIVE INVESTIGATIVE MATTER (SIM)

**Applied to all Subfiles:** Yes

**Synopsis:** (U [REDACTED]) Close captioned case

**Reason:** [REDACTED]

**Derived** [REDACTED]

**Declassify On:** [REDACTED]

**Details:**

This communication documents the closing of captioned case.

♦♦

UNCLASSIFIED//

**FEDERAL BUREAU OF INVESTIGATION**  
**Electronic Communication****Title:** (U) Opening of Full Investigation**Date:** 01/31/2019**From:** WASHINGTON FIELD

WF-

**Con**

:

**Approved By:** SSA DAR

A/CDC

ASAC DU

SAC Timothy M. Dunham

**Drafted By:****Case ID #:**

(U// ) TROPIC VORTEX;

MEDIA LEAK-NEWSPAPER;

VICTIM-

SENSITIVE INVESTIGATIVE MATTER-OTHER  
SENSITIVE MATTER

**Synopsis:** (U// ) To open a full investigation codenamed TROPIC VORTEX regarding an unauthorized public disclosure of U.S. Government classified information.

**Details:**

(U// ) On or about 22 March 2017, Department of Justice (DOJ) Acting Deputy Attorney General (A/DAG) Dana Boente directed U.S. Attorney's Office District of Connecticut (USAO CT) Assistant U.S. Attorney (AUSA) John Durham to lead an investigation based on a criminal referral from the regarding an unauthorized public disclosure of U.S. Government classified information. In general, such investigations are conducted by the FBI's Counterintelligence Division (CD) with oversight from DOJ's National Security Division (NSD). However, at least one of the subjects of the investigation is a former senior FBI official who previously worked in NSD. To avoid a potential conflict of interest or an appearance thereof, the A/DAG assigned the investigation to AUSA Durham and the U.S. Postal Inspection Service (USPIS) instead of NSD

UNCLASSIFIED//

UNCLASSIFIED// [REDACTED]

Title: (U) Opening of Full Investigation  
Re: [REDACTED], 01/31/2019

and the FBI. On or about 22 December 2017, AUSA Durham and USPIS completed their investigation and provided a memorandum with their conclusions and recommendations to Attorney General Jeff Sessions. (The memorandum is classified [REDACTED] and will be submitted to the case file in a separate document.)

(U// [REDACTED]) In or about January 2019, CD received a draft memorandum from the USAO District of Columbia (DC) regarding the aforementioned investigation. (Upon finalization, the memorandum will be submitted to the case file in a separate document.) USAO DC indicated the investigation may contain information relevant to other FBI investigations of unauthorized public disclosures, including, but not limited to, ECHOS FATE ([REDACTED]), FOGGY FALLS ([REDACTED]), GENETIC CHRISTMAS ([REDACTED]), and SIRENS LURE ([REDACTED]). In response, [REDACTED] directed WFO to open a full investigation for the purposes of reviewing the investigation and/or incorporating any information relevant to these other investigations. Therefore, WFO is opening a full investigation codenamed TROPIC VORTEX regarding an unauthorized public disclosure of U.S. Government classified information.

(U// [REDACTED]) As directed by CD Policy Guide [REDACTED], this investigation is being placed in a prohibited status and does not require any additional approvals to do so. As directed by CD Policy Guide [REDACTED], this investigation is being conducted as a criminal investigation and designated as a sensitive investigative matter as at least one of the subjects is a former senior FBI official.

(U) The WFO point of contact for this investigation is Special Agent [REDACTED] at [REDACTED].

♦♦

UNCLASSIFIED// [REDACTED]



**FEDERAL BUREAU OF INVESTIGATION**  
**Import Form**

**Form Type:** LHM - Letter Head Memorandum

**Date:** 02/04/2019

**Title:** (U) Notification of Inititation of Investigation

**Approved By:** SSA DARGIS MARK B

**Drafted By:** [REDACTED]

**Case ID #:** [REDACTED]

(U// [REDACTED]) TROPIC VORTEX;  
MEDIA LEAK-NEWSPAPER;  
VICTIM-[REDACTED];  
SENSITIVE INVESTIGATIVE MATTER-OTHER  
SENSITIVE MATTER

**Synopsis:** (U) To add a letterhead memorandum (LHM) notifying  
Department of Justice of initiation of full investigation codenamed  
TROPIC VORTEX to the case fil  
nterintelligence Division [REDACTED]  
[REDACTED] to provide the LHM to DOJ [REDACTED]

**Reason:** [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED]

**ify On:** [REDACTED]

♦♦



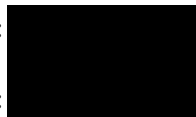
**U.S. Department of Justice**  
**Federal Bureau of Investigation**

Washington, D.C. 20535-0001



Page **1** of **6**

Classified By:  
Derived From:  
Declassify On:



FBI-HJC119-SL-000249

[REDACTED]

**(U) NOTIFICATION OF INITIATION OF INVESTIGATION**

(U) Date: February 4, 2019

(U) Subject(s) of Investigation:

[REDACTED]

(U// [REDACTED]) Type of Investigation:

\_\_\_ Preliminary Investigation (PI)

\_X\_ Full Investigation (FI)

\_\_\_ Single subject

\_X\_ Multi-subject

\_\_\_ Enterprise

\_\_\_ Foreign intelligence collection

(U// [REDACTED]) Investigation Initiated by:

\_X\_ Field Office

\_\_\_ FBI Headquarters

(U// [REDACTED]) Date Initiated/Converted:

January 31, 2019

(U// [REDACTED]) Notice to DOJ via LHM Required:

\_X\_ Full on USPER

\_X\_ SIM (preliminary or full investigation)

\_\_\_ Enterprise investigation

\_\_\_ Foreign intelligence case

**(U) I. Purpose of the Investigation:**

(U// [REDACTED]) Check the appropriate purpose for which the investigation is being initiated, as per AGG-Dom II.B.1 and DIOG Sections 6.2 and 7.2:

\_X\_ (U// [REDACTED]) To detect, obtain information about, prevent, [REDACTED] protect against federal crimes or threats to the national security.

[REDACTED]

\_\_\_\_ (U// [REDACTED]) To collect positive foreign intelligence. (Full investigations only)

(U) II. Predication for the Investigation:

(U// [REDACTED]) 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\_ (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;

\_\_\_\_ (U//F [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;

\_\_\_\_ (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)

*(U) Factual Predication:*

(U// [REDACTED]) On or about March 22, 2017, Department of Justice (DOJ) Acting Deputy Attorney General (A/DAG) Dana Boente directed U.S. Attorney's Office District of Connecticut (USAO CT) Assistant U.S. Attorney (AUSA) John Durham [REDACTED] on a criminal referral from the [REDACTED] regarding an unauthorized public classified information. In general, such investigations are conducted by the FBI's Counterintelligence Division (CD) with oversight from DOJ's National Security Division (NSD). However, at least one of the subjects of the investigation is a former senior FBI official who previously worked in NSD. To avoid a

[REDACTED]

potential conflict of interest or an appearance thereof, the A/DAG assigned the investigation to AUSA Durham and the U.S. Postal Inspection Service (USPIS) instead of NSD and the FBI. On or about December 22, 2017, AUSA Durham and USPIS completed their investigation and provided a memorandum with their conclusions and recommendations to Attorney General Jeff Sessions. (The memorandum is classified [REDACTED] and is available for review in the FBI case file.)

(U// [REDACTED]) In or about January 2019, CD received a draft memorandum from the USAO District of Columbia (DC) regarding the aforementioned investigation. (Upon finalization, the memorandum will be submitted to the case file.) USAO DC indicated the investigation may contain information relevant to other FBI investigations of unauthorized disclosures, including, but not limited to, ECHOS FATE ( [REDACTED] ) and GY FALLS ( [REDACTED] ). In response, [REDACTED] directed WFO to open [REDACTED] for purposes of reviewing the investigation and/or incorporating any information relevant to these other investigations. Therefore, WFO is opening a full investigation codenamed TROPIC VORTEX regarding an unauthorized public disclosure of U.S. Government classified information.

(U// [REDACTED]) As directed by CD Policy Guide [REDACTED], this investigation is being placed in a prohibited status and does not require additional approvals to do so. As directed by CD Policy Guide [REDACTED], this investigation is being conducted as a criminal investigation and designated as a sensitive investigative matter as at least one of the subjects is a former senior FBI official.

(U) Non-USPER:

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

\_\_\_\_ [REDACTED] A foreign power or working for a foreign power

\_\_\_\_ [REDACTED] From a foreign country or entity that has been designated by the President or the Attorney General on the National Security Threat List (NSTL),



[REDACTED]

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;

       [REDACTED] In another class designated by the Dire [REDACTED] the FBI in consultation with the Assistant Attorney General for National Security;

\_X\_ [REDACTED] Not applicable.

(U) III. Sensitive Investigative Matter(s):

(U// [REDACTED]) 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):

       (U// [REDACTED]) A domestic public official or political candidate

       (U// [REDACTED]) A religious or political organization or an individual prominent in such an organization;

       (U// [REDACTED]) A member of the media or a news organization (unless excepted in DIOG Appendix G, Section

       (U// [REDACTED]) An individual having an academic nexus (unless excepted in DIOG Appendix G, Section G);

\_X\_ (U// [REDACTED]) Any other matter which, in the judgement of the official authorizing an investigation, should be brought to the attention of FBIHQ and other DOJ official

       (U// [REDACTED]) Any matter subject to the SORC as per DIOG Appendix C and G;

       (U// [REDACTED]) Not applicable

(U) IV. Certification:

(U// [REDACTED]) The case agent and all approving personnel certify that

\_X\_ (U// [REDACTED]) An authorized purpose and adequate predicate exist for initiating the preliminary or full investigations;

[REDACTED]

\_X\_ (U// [REDACTED]) The investigation is not based solely on the exer [REDACTED] of First Amendment activities or race, religion, national origin or ethnicity of the subject;

\_X\_ (U// [REDACTED]) The investigation is an appropriate use of perso [REDACTED] and financial resources.

(U) The CD point of contac [REDACTED] vest  
Supervisory Special Agent [REDACTED] at [REDACTED]. FO  
onta [REDACTED] is [REDACTED] t [REDACTED]  
[REDACTED] at [REDACTED].

[REDACTED]



**FEDERAL BUREAU OF INVESTIGATION**  
**Electronic Communication**

**Title:** (U// [REDACTED]) CASE CLOSING CONCURRENCE

**Date:** 02/25/2020

**CC:** [REDACTED]

**From:** COUNTERINTELLIGENCE  
[REDACTED]

**Approved By:** UC [REDACTED]

FEINBERG MATTHEW A

**Drafted By:** [REDACTED]

**Case ID #:** [REDACTED]

(U// [REDACTED]) TROPIC VORTEX;  
MEDI LEAK-NEWSPAPER;  
VICTIM-[REDACTED];  
SENSITIVE INVESTIGATIVE MATTER-OTHER  
SENSITIVE MATTER

**Synopsis:** (U// [REDACTED]) To Document CD-[REDACTED] Concurrence to Close Captioned Investigation

**Reason:** [REDACTED]

**From:** [REDACTED]

**fy On:** [REDACTED]

**Reference:** [REDACTED]

**Enclosure(s):** Enclosed are the following items:

1. [REDACTED] Closing LHM

**Details:**

[REDACTED]

Title: (U// [REDACTED]) CASE CLOSING CONCURRENCE  
Re: [REDACTED], 02/25/2020

(U// [REDACTED]) Based on the information provided below, this communication provides Section Chief concurrence to close the captioned investigation in accordance with Domestic Investigations and Operations Guide (DIOG) 7.12 and Counterintelligence Division Policy Guide (CD PG) [REDACTED].

(U// [REDACTED]) On March 22, 2017, Department of Justice (DOJ) Acting Deputy Attorney General (A/DAG) Dana Boente directed US Attorney's Office District of Connecticut (USAO-CT) US Attorney (USA) John Durham to lead an investigation based on a criminal referral from the [REDACTED] regarding an unauthorized public disclosure of U.S. Government (USG) classified information ("UPD").

[REDACTED] The criminal referral indicated the New York Times published an article in October 2016 ("October 2016 NYT Article") containing a UPD.

(U// [REDACTED]) In general, UPD investigations are conducted by the FBI's CD with oversight from DOJ's National Security Division (NSD). However, one of the subjects of the investigation was then [REDACTED] who had previously worked in NSD. To avoid a potential conflict of interest or an appearance thereof, the A/DAG assigned the investigation to USA Durham and the US Postal Inspection Service (USPIS) instead of NSD and CD.

(U// [REDACTED]) On December 11, 2018, USA Durham and USPIS completed their investigation ("USPIS Investigation") and provided a memorandum ("USA Durham Memo") with conclusions and recommendations to Acting Attorney General (A/AG) Matthew Whitaker. The USA Durham Memorandum is classified [REDACTED] and is maintained in a 1A Package (See [REDACTED]). Portions of the USA Durham Memo at the [REDACTED] classification are provided as follows.

[REDACTED] The October 2016 NYT Article indicated there were two USG sources for the article. The USPIS Investigation revealed [REDACTED]

[REDACTED]

Title: (U// [REDACTED]) CASE CLOSING CONCURRENCE  
Re: [REDACTED], 02/25/2020

[REDACTED]

[REDACTED]. Additional details are classified [REDACTED] and are included in an attachment (1A Package) to this document.

[REDACTED] The USPIS Investigation [REDACTED]. Additional details are classified [REDACTED] and are included in an attachment (1A Package) to this document.

[REDACTED] Based on the evidence (which included interviews, access/email/phone records, and [REDACTED]), potentially applicable law and criminal statutes, and the USA Principles of Federal Prosecution, the USA Durham Memo recommended NO prosecution [REDACTED]. The full details of this recommendation are in the USA Durham Memo (See [REDACTED]).

(U// [REDACTED]) In January 2019, WFO received a draft memorandum from the USAO District of Columbia (DC) ("USAO-DC Memo") via [REDACTED] (i.e., the predecessor to CD-[REDACTED]) regarding the USPIS Investigation and USA Durham Memo. In or about February 2019, WFO received the official USAO-DC Memo via [REDACTED]. In the USAO-DC Memo, USAO-DC indicated the USPIS Investigation and USA Durham Memo may contain information relevant to other FBI investigations of UPDs, including, but not limited to, ECHOS FATE ([REDACTED]), FOGGY FALLS ([REDACTED]), GENETIC CHRISTMAS ([REDACTED]), and SIRENS LURE ([REDACTED]). In response, [REDACTED] directed WFO to open a full investigation for the purposes of reviewing the USPIS Investigation and USA Durham Memo and/or incorporating any information

[REDACTED]

Title: (U// [REDACTED]) CASE CLOSING CONCURRENCE  
Re: [REDACTED], 02/25/2020

relevant therefrom to these other investigations. On January 31, 2019, WFO opened captioned full investigation TROPIC VORTEX to do so.

(U// [REDACTED]) On April 8, 2019, WFO completed a review of the USPIS Investigation and USA Durham Memo, noted significant findings therefrom in a document ([REDACTED]), and provided them to the attorneys, agents, and professional staff assigned to TROPIC VORTEX, ECHOS FATE, FOGGY FALLS, GENETIC CHRISTMAS, and SIRENS LURE. WFO did not identify any additional investigative leads [REDACTED]

[REDACTED] WFO did identify one additional investigative lead as follows.

(U// [REDACTED]) On March 4, 2017, President Donald Trump tweeted he had just learned former President Barack Obama was tapping phones at Trump Tower during the 2016 election. On March 5, 2017, the NYT published an article titled "Comey Asks Justice Dept to Reject Trump's Wiretapping Claim" ("March 2017 NYT Article"). The March 2017 NYT Article reported a USG official indicated Comey asked the DOJ to publicly reject the assertions in President Trump's tweets, but the DOJ had not released any such statement. The tweets and article occurred shortly after the initiation of the USPIS Investigation. During interviews for the USPIS Investigation, multiple DOJ and FBI officials were asked about their discussions, actions, and responses to the tweets and article. Although these officials provided opinions on the identity of the USG official in this article, the USPIS Investigation did not determine who it was.

(U// [REDACTED]) On October 21, 2019, WFO compiled findings from the USPIS Investigation regarding the tweets and the March 2017 NYT Article, and from additional investigation by WFO. The findings revealed [REDACTED]

[REDACTED]

[REDACTED]

Title: (U// [REDACTED]) CASE CLOSING CONCURRENCE  
Re: [REDACTED], 02/25/2020

[REDACTED]

[REDACTED] WFO documented these findings and assessment in [REDACTED], and presented them to the attorneys, agents, and professional staff assigned to TROPIC VORTEX, ECHOS FATE, FOGGY FALLS, GENETIC CHRISTMAS, and SIRENS LURE.

(U// [REDACTED]) Based on the findings and assessment, USAO-DC issued a preservation letter for [REDACTED]

[REDACTED] However, USAO-DC subsequently declined to pursue additional legal process [REDACTED]

[REDACTED] but USAO-DC declined to use them. As such, WFO considers this additional investigative lead complete.

(U// [REDACTED]) On January 30, 2020, USAO-DC issued a prosecutorial declination decision for TROPIC VORTEX, via meeting with and confirmation email to WFO, which is included as an attachment to this document (1A Package).

♦♦

[REDACTED]

**U.S. Department of Justice**  
**Federal Bureau of Investigation**

Washington, D.C. 20535-0001  
CD4X-0028-19



(U// [REDACTED]) Date: February 21, 2020

(U// [REDACTED]) Report: Closing Letterhead Memorandum

(U// [REDACTED]) Investigation: TROPIC VORTEX

(U// [REDACTED])          Preliminary Investigation (PI)  
  x   Full Investigation (FI)

         Single subject  
         Multi-subject  
         Enterprise  
         Foreign intelligence collection  
  x   Unsub

(U// [REDACTED]) FI Initiated: 01/31/2020

(U// [REDACTED]) I. Background/Predication for the Investigation:

(U// [REDACTED]) On March 22, 2017, Department of Justice (DOJ) Acting Deputy Attorney General (A/DAG) Dana Boente directed US Attorney's Office District of Connecticut (USAO-CT) US Attorney (USA) [REDACTED] and an [REDACTED] based on a criminal referral from the [REDACTED] regarding an unauthorized public disclosure [REDACTED] (USG) classified information ("UPD").

[REDACTED] The criminal referral indicated the New York Times published an article [REDACTED] in October 2016 ("October 2016 NYT Article") containing a UPD.

(U// [REDACTED]) In general, UPD investigations are conducted by the FBI's CD with oversight from DOJ's National Security Division (NSD). However, [REDACTED] the subjects of the investigation was then FBI General Counsel [REDACTED], who had previously worked in NSD. To avoid a potential conflict of interest or an appearance thereof, the A/DAG assigned the investigation to USA Durham and the US Postal Inspection Service (USPIS) instead of NSD and CD.



[REDACTED]

(U// [REDACTED]) On December 11, 2018, USA Durham and USPIS completed their investigation ("USPIS Investigation") and provided a memorandum ("USA Durham Memo") with conclusions and recommendations to Acting Attorney Matthew Whitaker. The USA Durham Memorandum [REDACTED] d [REDACTED], and is maintained in a 1A Package (See [REDACTED]) of the USA Durham Memo at the [REDACTED] classification. [REDACTED] provided as follows.

[REDACTED] The October 2016 NYT Article indicated there [REDACTED] title. The USPIS Investigation revealed [REDACTED]. However, the USPIS Investigation also [REDACTED]

[REDACTED] included in an attachment (1A Package) to this [REDACTED]

[REDACTED] USPIS Investigation [REDACTED] d [REDACTED]. Additional details [REDACTED] n attachment (1A Package) to this document.

[REDACTED] Based on the evidence [REDACTED] interviews, access [REDACTED] /phone records, and [REDACTED]), potentially applicable law and criminal statutes [REDACTED] principles [REDACTED] am Memo recommended NO prosecution [REDACTED] n this recommendation [REDACTED]

(U// [REDACTED]) In January 2019, WFO received a draft memorandum from the USAO District of Columbia (DC) ("USAO-DC Memo") via [REDACTED] (i.e., the predecessor to CD- [REDACTED]) regarding the USPIS Investigation and USA Durham Memo. [REDACTED] r about [REDACTED] ruary 2019, WFO received the official USAO-DC Memo via [REDACTED]. In the USAO-DC Memo, USAO-DC indicated the USPIS Investigation and USA Durham Memo may contain information relevant to other FBI investigations of UPDs, in [REDACTED] t limited to, ECHOS FA [REDACTED], FOGGY FALLS ([REDACTED]), GENETIC CHRIST [REDACTED] and SIRENS LURE [REDACTED]). In response, [REDACTED] d [REDACTED] open a full investigation [REDACTED] rposes of review [REDACTED] the USPIS Investigation and USA Durham Memo and/or incorporating any information relevant therefrom to these other investigations. On January 31, 2019, WFO opened captioned full investigation TROPIC VORTEX to do so.

(U) **II. Conclusion**

[REDACTED]

(U// [REDACTED]) On April 8, 2019, WFO completed a review of the USPIS Investigation [REDACTED] memo, noted significant findings therefrom in a document ([REDACTED]), and provided them to the attorneys, agents, and [REDACTED] assigned to TROPIC VORTEX, ECHOS FATE, FOGGY FALLS, GENETIC CHRISTMAS, and SIREN [REDACTED] ny [REDACTED] regarding [REDACTED] WFO did [REDACTED]

(U// [REDACTED]) On March 4, 2017, President Donald Trump tweeted he had just learned former President Barack Obama was tapping phones at Trump Tower during the 2016 election. On March 5, 2017, the NYT published an article titled "Comey Asks Justice Dept to Reject Trump's Wiretapping Claim" ("March 2017 NYT Article"). The March 2017 NYT Article reported a USG official indicated Comey asked the DOJ to publicly reject the assertions in President Trump's tweets, but the DOJ had not released any such statement. The tweets and article occurred shortly after the initiation of the USPIS Investigation. During interviews for the USPIS Investigation, multiple DOJ and FBI officials were asked about their discussions, actions, and responses to the tweets and article. Although these officials provided opinions on the identity of the USG official in this article, the USPIS Investigation did not determine who it was.

(U// [REDACTED]) On October 21, 2019, WFO compiled findings from the USPIS Investigation regarding the tweets and the March 2017 NYT Article, and from additional investigation by WFO. The findings revealed [REDACTED]

[REDACTED] presented them to the attorneys, agents, and [REDACTED] assigned to TROPIC VORTEX, ECHOS FATE, FOGGY FALLS, GENETIC CHRISTMAS, and SIRENS LURE.

(U// [REDACTED]) Based on the fi [REDACTED]

[REDACTED]

investigative lead complete.

(U// [REDACTED]) On January 30, 2020, USAO-DC issued a prosecutorial declination decision for TROPIC VORTEX, via meeting with and confirmation email to WFO, which is included as an attachment to this document (1A Package).

[REDACTED]

(U// [REDACTED]) The FBI WFO point of contact for this investigation is SA [REDACTED], [REDACTED].

UNCLASSIFIED// [REDACTED]

**FEDERAL BUREAU OF INVESTIGATION**  
**Electronic Communication****Title:** (U) Closing of Full Investigation TROPIC  
VORTEX**Date:** 03/13/2020**From:** WASHINGTON FIELD

WF- [REDACTED]

**Con** : [REDACTED], [REDACTED]**Approved By:** [REDACTED]**Drafted By:** [REDACTED]**Case ID #:** [REDACTED](U// [REDACTED]) TROPIC VORTEX;  
MEDIA LEAK-NEWSPAPER;  
VICTIM- [REDACTED];  
SENSITIVE INVESTIGATIVE MATTER-OTHER  
SENSITIVE MATTER

**Synopsis:** (U// [REDACTED]) To close captioned full investigation TROPIC VORTEX regarding an unauthorized public disclosure of USG classified information.

**Details:****(U) Closing of Full Investigation**

(U) Washington Field Office (WFO) is closing captioned full investigation TROPIC VORTEX. See [REDACTED] for WFO recommendation to close investigation. This serial contains the justification for closing along with US Attorney's Office District of Columbia (USAO-DC) declination to prosecute; and it documents the Domestic Investigations and Operations Guide (DIOG) 7.12 and Counterintelligence Division Policy Guide (CD PG) [REDACTED] standards for closing a full investigation (copied below).

**(U) DIOG and CD Standards for Closing of Full Investigation**

UNCLASSIFIED// [REDACTED]

UNCLASSIFIED// [REDACTED]

Title: (U) Closing of Full Investigation TROPIC VORTEX  
Re: [REDACTED], 03/13/2020

***(U) Summary of Results of Investigation***

(U) See [REDACTED]

***(U) Sufficient Personnel and Financial Resources***

(U// [REDACTED]) WFO has provided sufficient personnel and financial resources for TROPIC VORTEX.

***(U) Logical and Reasonable Investigation***

(U// [REDACTED]) WFO has completed all logical and reasonable investigation for TROPIC VORTEX. See [REDACTED]

***(U) Disposition of Investigative Methods***

23. (U// [REDACTED]) WFO has completed or discontinued all investigative methods for TROPIC VORTEX.

***(U) Disposition of Leads***

24. (U// [REDACTED]) WFO has completed or discontinued all leads for TROPIC VORTEX.

***(U) Disposition of Evidence***

25. (U// [REDACTED]) WFO has NOT collected any evidence (1Bs) for TROPIC VORTEX. WFO is adding miscellaneous investigative notes as an attachment (1A Package) to the file.

***(U) Closing Status Code***

26. (U// [REDACTED]) The closing code for TROPIC VORTEX is [REDACTED] (USA Declination Closing) based on the USA Durham Memo and USAO-DC prosecutorial declination decision.

UNCLASSIFIED// [REDACTED]

UNCLASSIFIED// [REDACTED]

Title: (U) Closing of Full Investigation TROPIC VORTEX  
Re: [REDACTED], 03/13/2020

(U) Miscellaneous

(U) See [REDACTED] for Counterintelligence Division-  
[REDACTED] (CD-[REDACTED]) concurrence to close investigation.  
This serial contains the closing letterhead memorandum (LHM) for  
Department of Justice National Security Division (DOJ-NSD).

(U) As the closing of captioned investigation has been discussed and  
coordinated at biweekly meetings involving WFO, CD-[REDACTED], NSD, DOJ-NSD, and  
USAO-DC, CD-[REDACTED] has advised WFO does not need to wait for a response to  
the closing LHM from DOJ NSD.

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UNCLASSIFIED// [REDACTED]