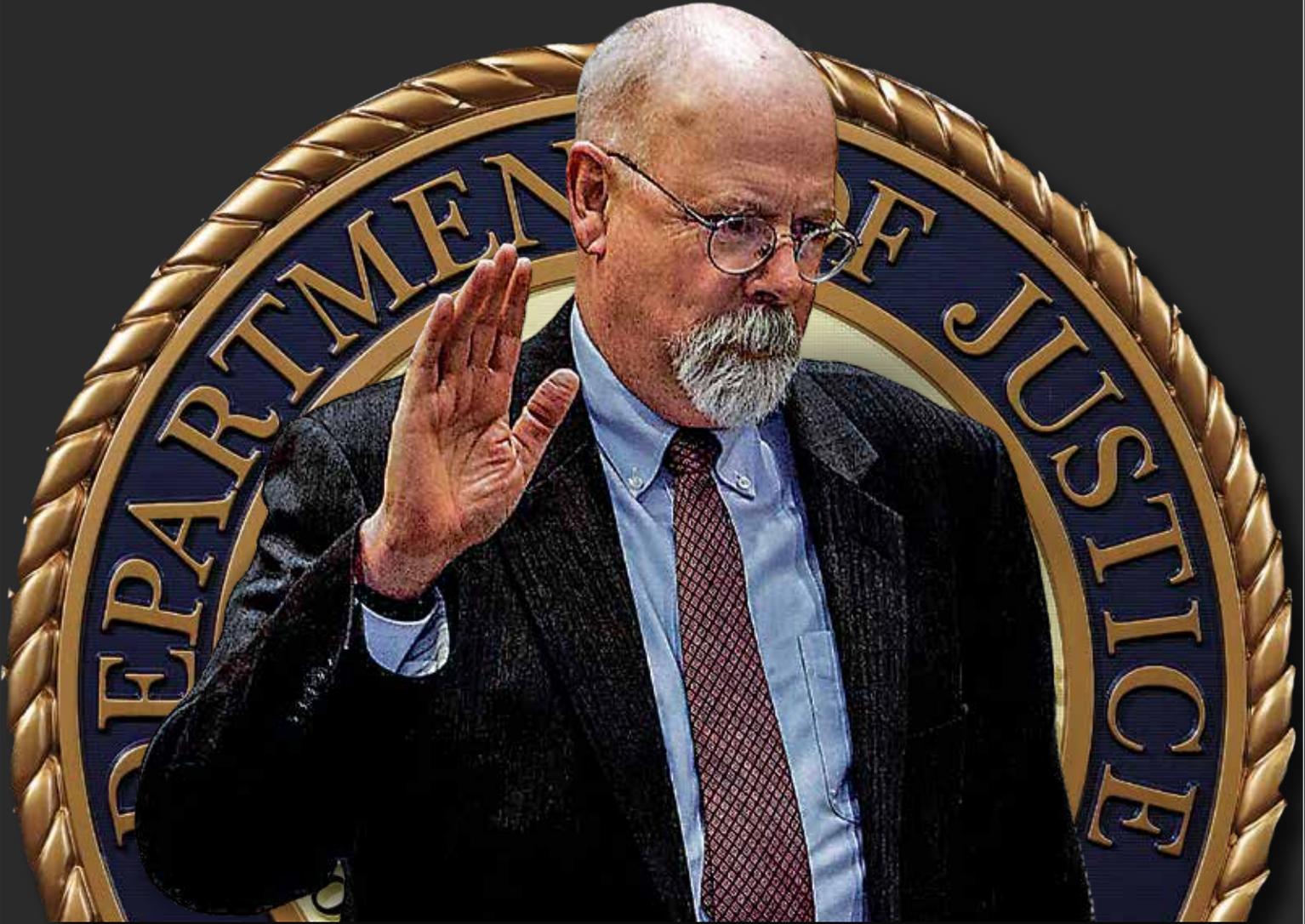


THE EPOCH TIMES

TRUTH AND TRADITION



SPECIAL REPORT

The Durham Probe

An in-depth look at the probe by special counsel John Durham on the origins of the FBI's investigation of the Trump campaign

Editor's Note

IT HAS BEEN SIX YEARS since Donald Trump's 2016 presidential campaign was targeted with false allegations of colluding with Russia and an FBI investigation that involved intrusive surveillance.

The allegations resulted in a probe by special counsel Robert Mueller that cast a shadow over Trump's presidency for nearly two years.

Now, a different special counsel, John Durham, is probing the origins of the FBI's "Crossfire Hurricane" investigation of the Trump campaign.

To date, this probe has uncovered evidence revealing what took place in 2016 and how the Trump campaign was framed.

For example, FBI attorney Kevin Klinesmith pleaded guilty to altering an email that was used as evidence to obtain a FISA warrant on Trump campaign adviser Carter Page.

Meanwhile, Durham's prosecution of former Clinton campaign attorney Michael Sussmann revealed that a tech executive who was working with Sussmann had exploited access to internet traffic at the Executive Office of the President, Trump Tower, and an apartment building belonging to Trump. Sussmann himself was found not guilty on one charge of having lied to the FBI.

The monitoring of White House internet traffic took place both during the transition period after Trump won the 2016 presidential election and after he was inaugurated as president.

So far, the Durham probe has also revealed that both the CIA and the FBI

knew soon after receiving them that allegations that a computer in Trump Tower was communicating with a Russian bank were false. Yet despite this, the public was left in the dark, and the allegations of Trump-Russia collusion continued to be promulgated both by officials and the media.

The FBI probe resulted in a FISA warrant, which allows for some of the most intrusive surveillance possible on an American citizen. The full extent of the agency's spying on Trump's political campaign remains unknown.

In this special edition, we provide an overview of the most significant findings so far in the special counsel's investigation, as well as a timeline of key events in the FBI's pursuit of a warrant to spy on the Trump campaign.

We hope this special edition brings you up to speed on all the most significant developments.



JASPER FAKKERT
Editor-in-chief

Accuracy & Integrity

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FORMER DEMOCRATIC
presidential candidate Hillary
Clinton arrives to speak to
staff and supporters at The
New Yorker hotel after her
defeat in the presidential
election, on Nov. 9, 2016.



BRENDAN SMALOWSKI/FP VIA GETTY IMAGES

SETTING THE NARRATIVE

A SOPHISTICATED STRATEGY
BEHIND THE COLLUSION
ALLEGATIONS

THE 2-PRONGED PLAN

The Clinton campaign's strategy to create
the Trump–Russia collusion narrative

JEFF CARLSON & HANS MAHNCKE
News analysis

In October 2016, Wikileaks released a little-noticed email exchange involving Jennifer Palmieri, the communications director for Hillary Clinton's presidential campaign, and Democratic strategist Joel Johnson. The exchange, which was dated Feb. 26, 2016, revealed the existence of a Clinton campaign "swift boat project"—a political term used for smear campaigns—aimed at then-presidential candidate Donald Trump.

At the time, the email was largely ignored, but it has recently gained new relevance through disclosures in court filings by special counsel John Durham.

It appears the Clinton campaign's plans revolved around two primary prongs directed at Trump. The first and better-known element of that project involved Fusion GPS and Trump-dossier author and former MI6 spy Christopher Steele. The other element involves the efforts of Clinton campaign lawyer Michael Sussmann and his use of data exploited by technology executive Rodney Joffe and a team of IT operatives.

Last year, Sussmann came to prominence when he was indicted by Durham for lying to the FBI in connection with his role in passing Joffe's data to the FBI.

The two-pronged strategy began to take shape in the spring of 2016, and those parallel plans would ultimately merge at the end of July 2016, just →



PEOPLE GATHER TO WATCH the first presidential debate between Donald Trump and Hillary Clinton, in front of an office building in Los Angeles on Sept. 26, 2016.

two days before the FBI opened its investigation into the Trump campaign.

Trump Swift Boat Project

On Feb. 26, 2016, Palmieri was asked in an email by former Bill Clinton adviser Joel Johnson, “Who was in charge of the Trump swift boat project?” Palmieri sarcastically replied: “Gee. Thanks, Joel. We thought we could half-ass it. Let’s discuss.”

It isn’t known what steps were taken by the Clinton campaign in the two months that followed the email exchange. At the time, Trump hadn’t yet won the Republican nomination. However, by mid-April 2016, it had become

increasingly clear that Trump would be Clinton’s opponent in the general election.

On April 19, 2016, Trump hired Paul Manafort as his convention manager. Manafort, who was known to be a former adviser to Ukraine’s deposed president Viktor Yanukovich, would become Trump’s campaign manager two months later.

Trump’s primary victories and the hiring of Manafort coincided with a decision in late April by the Clinton campaign to hire Fusion GPS, a firm of political operatives run by former Wall Street Journal staffer Glenn Simpson.

Around the same time, on April 28,

2016, Amy Dacey, CEO of the Democratic National Committee (DNC), alerted Sussmann, who is also a cyber-security specialist, to the possible hack of the DNC’s computer network. In turn, Sussmann contacted Shawn Henry of CrowdStrike, an IT firm specializing in cybersecurity. It isn’t known why Dacey’s first point of contact was Sussmann and not an IT firm.

On May 3, 2016, Trump won the Indiana primary to become the presumptive nominee of the Republican Party.

That day, Ukrainian American Democratic operative Alexandra Chalupa emailed the DNC and claimed that she intended to share sensitive info about

FROM L. FREDERIO J. BROWN/AFP VIA GETTY IMAGES; DREW WANG/REUTERS/GETTY IMAGES

Paul Manafort “offline,” including “a big Trump component ... that will hit in [sic] next few weeks.” Manafort would leave the Trump campaign a few months later after The New York Times claimed that Manafort’s name had appeared on a handwritten ledger in Ukraine in connection with secret cash payments. The ledger was later said to have been fabricated.

Plan Set in Motion After Trump Became Presumptive Nominee

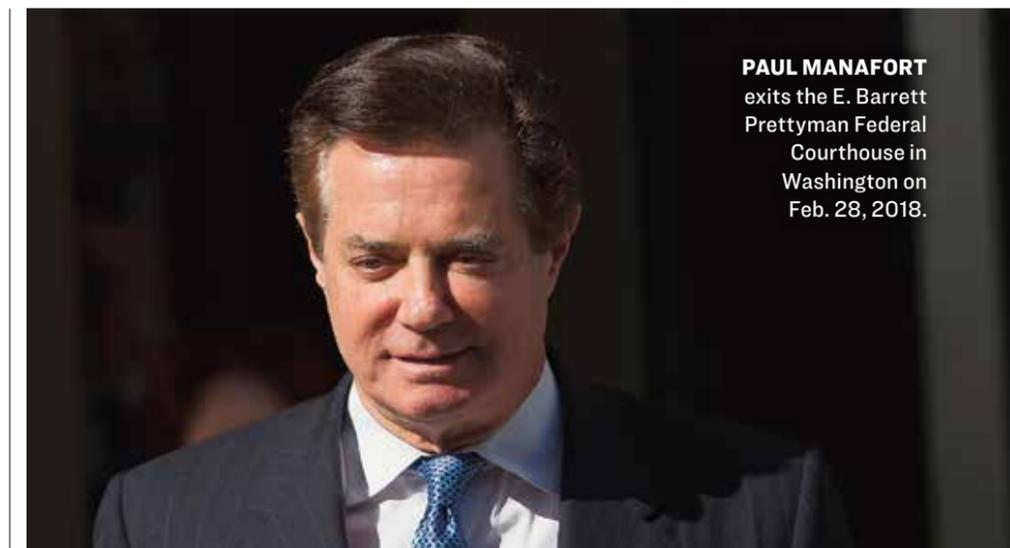
According to court filings from Durham, on May 4, 2016, the day after Trump became the Republican Party’s presumptive nominee, a cyber group working through Sussmann and Joffe began compiling and curating data that would later be used to create the false appearance of a link between the Trump Organization and Alfa Bank in Russia. That alleged link would later be used by the Clinton campaign to push the narrative that Trump had ties to the Kremlin.

Notably, the data compilation was completed on July 29, 2016, the same day that Clinton operatives from both prongs of her planned attack on Trump met in Washington.

In mid-May 2016, shortly after Sussmann’s cyber group started mining data on Trump, Fusion GPS hired Steele to write what became known as the Steele dossier. As Simpson later recounted in his book “Crime in Progress,” he “told Steele that Fusion had been investigating Trump for about eight months on behalf of an unnamed client. That work had ended, but a new client had come along that had deep pockets.”

That client was the Clinton campaign.

Steele tasked his primary sub-source, Igor Danchenko, to compile derogatory stories about Trump that could be used in the dossier. Danchenko was



PAUL MANAFORT exits the E. Barrett Prettyman Federal Courthouse in Washington on Feb. 28, 2018.

dispatched to Moscow in mid-June, where he spent time gossiping with old friends over drinks. Those friends were then made into unwitting sources for the dossier. These same individuals have since come forward as part of Alfa Bank’s ongoing defamation lawsuit against Simpson and Fusion GPS to testify under oath that they didn’t have any information on Trump and never spoke to Danchenko about Trump.

As Durham has disclosed in court filings, the true source for several of the dossier’s stories, including a story about Manafort, was Clinton operative Charles Dolan. Danchenko concealed this fact from the FBI, according to Durham. In Nov. 2021, Durham indicted Danchenko for lying to the FBI about his sources.

While Dolan, according to Durham, gave stories to Danchenko that appeared in the dossier and helped Danchenko obtain a visa (presumably to remain in the United States), not much is known about his wider role in Clinton’s swift boat project. Dolan and the Clintons go back many decades, with Dolan having served on Bill Clin-

ton’s presidential exploratory committee, as well as Clinton’s Virginia state chairman during his 1992 and 1996 campaigns. Dolan also served as an adviser to Hillary Clinton’s first presidential run in 2008. Notably, Dolan was a senior consultant for the Russian government from 2006 to 2014.

Steele’s first dossier report—which not only contained the notorious pee tape allegation but also seeded the collusion narrative—was issued on June 20, 2016.

After Steele had compiled his initial reports, he began to reach out to the FBI through Michael Gaeta, an FBI agent and assistant legal attaché at the U.S. Embassy in Rome. Gaeta, who was Steele’s FBI handler, had known Steele since 2010. At Steele’s request, the two men met in London on July 5, 2016. In order to make this trip, Gaeta sought permission from then-Assistant Secretary of State Victoria Nuland. At some point in early July, either Steele or Gaeta passed Steele’s early dossier reports to Nuland. Nuland later said these documents were passed on to both the leadership of the FBI and →



ROBBY MOOK, Hillary Clinton's campaign manager, speaks to reporters aboard the campaign plane while traveling to Cedar Rapids, Iowa, on Oct. 28, 2016.

then-Secretary of State John Kerry.

Gaeta, who would receive additional reports from Steele in mid-July and August 2016, emailed an FBI supervisor on July 28, 2016, noting that Steele had personally informed him that Steele's reports may already be circulating at a 'high level' in Washington, D.C."

Clinton Campaign Invokes Russian Interference

On July 24, 2016, Clinton campaign manager Robbie Mook publicly suggested for the first time that Russia was somehow helping Trump. Mook claimed in an interview with CNN's Jake Tapper that the Russian government was behind the release of a trove of DNC emails. Those emails showed, in part, that senior DNC officials had been undermining Democratic candidate Sen. Bernie Sanders.

Mook refused to address the Sanders allegations, instead telling Tapper that

"experts are now saying the Russians are releasing these emails for the purpose of actually helping Donald Trump." Mook claimed that "this isn't my assertion. There are a number of experts that are asserting this. ... That is what experts are telling us." But Mook failed to address who these so-called "experts" might be, nor did he explain the source of his supposed information.

Two days after Mook had invoked Russia, on July 26, 2016, Clinton won the Democratic presidential nomination. According to documents released by Director of National Intelligence John Ratcliffe on Oct. 6, 2020, on the same day as her nomination victory, Clinton allegedly approved a proposal from "one of her foreign policy advisors" to "vilify Donald Trump by stirring up a scandal claiming interference by Russian security forces"—the Trump-Russia collusion smear.

That foreign policy adviser is ru-

mored to be current national security adviser Jake Sullivan, who at the time held the title of senior foreign policy adviser to the Clinton campaign.

Immediately following the alleged approval from Clinton, Steele hastily produced his undated memo 95—written on or about July 27, 2016—which alleged "a well-developed conspiracy of cooperation" between Trump associates and the Kremlin. Steele's memo, which echoed the basis of the Clinton campaign's plan, also claimed that an unknown Trump associate had acknowledged that the Kremlin was behind the release of the DNC emails.

On July 28, 2016, then-CIA Director John Brennan briefed President Barack Obama on Clinton's July 26 plan—including her campaign's intention to tie Trump to Russian election interference "as a means of distracting the public from her use of a private email server." FBI Director James Comey may also have been at that meeting, since Brennan's now declassified handwritten notes state that "JC" was at this meeting.

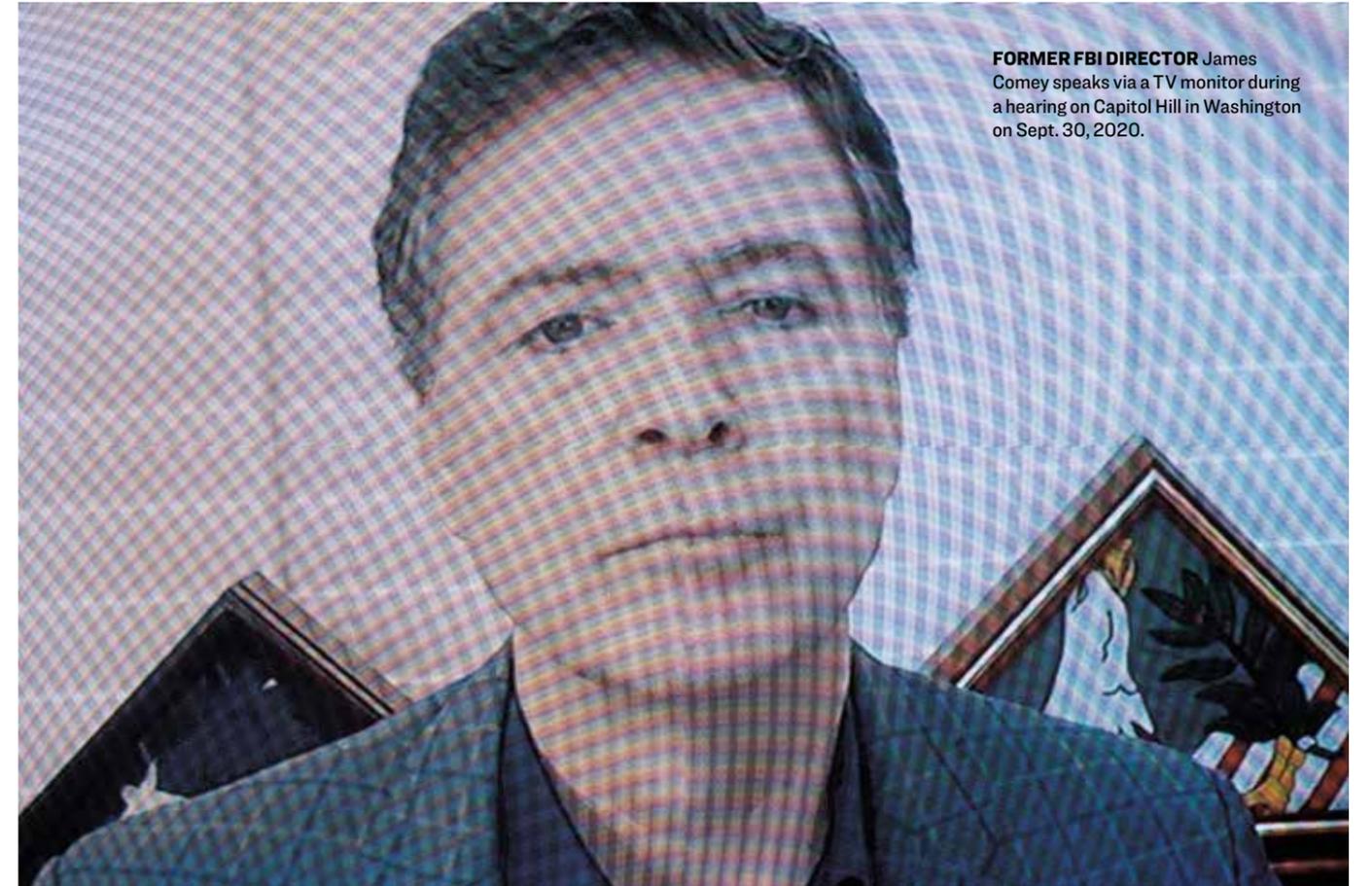
The Two Prongs Converge

The day after Brennan briefed Obama, the twin prongs of the Clinton campaign's smear campaign—Sussmann's work with Joffe and Fusion's work with Steele—merged. In a meeting that took place in the Perkins Coie law firm's offices on July 29, 2016, Sussmann and fellow Perkins attorney Marc Elias met with Fusion GPS principals, including owner Glenn Simpson and Steele, according to the Durham indictment.

According to Durham's indictment of Sussmann, the timing of the meeting at Perkins coincides perfectly with the completion of Sussmann's and Joffe's data compilation on July 29, 2016.

Steele had previously told a British court that Sussmann informed him at

FROM: JUSTIN SULLIVAN/BETTY IMAGES; STEFANI RENOLDUS/POOL/BETTY IMAGES



FORMER FBI DIRECTOR James Comey speaks via a TV monitor during a hearing on Capitol Hill in Washington on Sept. 30, 2020.

this meeting of the Alfa Bank allegations, stating, "I'm very clear is [sic] that the first person that ever mentioned the Trump server issue, Alfa server issue, was Mr. Sussman [sic]."

Steele also testified that he was instructed by Fusion GPS co-founder Simpson to include this information in one of his own dossier reports. Steele, who repeatedly wrote tailor-made reports for Fusion GPS, mentioned Alfa Bank in a report on Sept. 14, 2016.

Following the meeting at Perkins Coie's offices, Steele prepared a new memo the next day for his dossier, which falsely alleged an eight-year Russian effort to cultivate Trump.

The close timing of these events, particularly Brennan's briefing to Obama, are significant because they came only days before the FBI officially opened its Crossfire Hurricane investigation into ties between the Trump campaign and Russia.

That FBI investigation was allegedly opened on July 31, 2016, after the Australian ambassador in London, Alexander Downer, gave the U.S. embassy a tip about Trump foreign policy adviser George Papadopoulos.

According to Downer, he and Papadopoulos had met in May 2016, when Papadopoulos supposedly made a suggestion of a suggestion that Russia

might have derogatory information on Hillary Clinton that might help Trump. That rumor was already known at the time and had been shared by Judge Andrew Napolitano on Fox News on May 9, 2016, the day before Downer met Papadopoulos.

Downer later confirmed in a 2019 interview on Australian TV that Papadopoulos said nothing out of the ordinary. But despite the flimsiness of Papadopoulos's statements, the FBI used Downer's info as a pretext to open a formal investigation into the Trump campaign.

In the weeks that followed the FBI's opening of its Crossfire Hurricane →

investigation, CIA Director Brennan would take a number of actions that appear to have been intended to actively reinforce the basic premise behind Clinton's plan—that Russia was interfering in the election to help Trump.

Brennan Pushes Trump–Russia Collusion Despite Knowledge of Clinton's Plans to Smear Trump

The twin prongs of the attack against Trump had now been merged by the heads of the Intelligence Community into a single, unified spear that incorporated government agencies and government action.

One of the first actions from Brennan took place on Aug. 4, 2016, when he suddenly warned Russia's FSB head Alexander Bortnikov not to engage in U.S. election interference. Bortnikov reportedly strongly denied any Russian involvement, but "said he would take Brennan's concern to Russian President Vladimir Putin." Brennan later claimed that he "was the first U.S. official to brace Russia on this issue."

According to Brennan's May 23, 2017, congressional testimony, he then began a series of briefings to the Congressional Gang of Eight—the majority and minority leaders of each chamber of Congress as well as the chairmen and ranking minority members of the Intelligence Committees. Brennan testified that "in consultation with the White House, I personally briefed the full details of our understanding of Russian attempts to interfere in the election to congressional leadership."

He said these briefings, which were done individually, rather than in a group setting, took place between Aug. 11 and Sept. 6, 2016.

The message that Brennan delivered to these members of Congress was remarkably similar to the details outlined in the Clinton campaign's

alleged plan to smear Trump. According to Brennan's testimony, he told each member of the Gang of Eight that "Russia's goals were to undermine public faith in the U.S. Democratic process, denigrate Secretary Clinton and harm her electability and potential presidency. And to help President Trump's election chances."

At no point during Brennan's testimony did he raise the Clinton campaign's plan to denigrate candidate Trump and no evidence has been presented to indicate that he informed Gang of Eight members of the alleged plan.

Convergence of Russia–Collusion Claims

After receiving his briefing from Brennan, then-Democratic Senate leader Harry Reid sent a letter on Aug. 27, 2016, to FBI Director James Comey claiming that "the evidence of a direct connection between the Russian government and Donald Trump's campaign continues to mount," calling for a public investigation into the matter and asking that the investigation be completed before the November presidential election.

Three days later, on Aug. 30, House Democrats wrote to Comey asking him to investigate Trump–Russia collusion in the context of the purported DNC hacking. Their letter asked Comey to investigate if "connections between Trump campaign officials and Russian interests may have contributed to these attacks in order to interfere with the U.S. presidential election."

As Democrats moved forward with the publicization of Brennan's claims, Hillary Clinton publicly accused Russia of interfering in the U.S. election on Sept. 5, 2016, implying that Putin "viewed a victory by Donald J. Trump as a destabilizing event that would weaken the United States and buttress Russian interests."

On Sept. 7, 2016, two days after Clinton's public claims of Russian interference, Brennan's CIA sent a memo regarding the Clinton campaign's plan to vilify Trump to FBI Director Comey and the deputy assistant director of the counterintelligence division, Peter Strzok. By the time the CIA memo was sent, the FBI's Crossfire Hurricane probe was well underway. Rather than open an investigation into the Clinton campaign, the FBI continued undeterred with its investigation of the Trump campaign.

Brennan's briefing to Obama and his memo tipping the FBI off to Clinton's plans appear to be the only times that Brennan raised the issue of Clinton's plan. As noted earlier, Brennan's handwritten notes also demonstrate the possibility that Comey was present during Brennan's July 28 briefing to Obama, but this isn't known with certainty.

Sussmann's Alfa Bank Allegations

One week after Brennan's memo to the FBI, Steele prepared a sequence of three memos all dated Sept. 14, 2016. One of the three memos referenced Alfa Bank, misspelled as "Alpha" in his memo. On this same day, according to Durham's indictment, Sussmann →

Two days after Mook had invoked Russia, on July 26, 2016, Clinton won the Democratic presidential nomination.



FORMER CIA DIRECTOR
John Brennan testifies before the House Permanent Select Committee on Intelligence on Capitol Hill in Washington on May 23, 2017.

DREW ANGERER/GETTY IMAGES



FORMER UK intelligence officer Christopher Steele, in London on July 24, 2020.

met personally with Joffe in the offices of Perkins Coie.

The following day, Marc Elias exchanged emails with three Clinton advisers—communications director Palmieri, campaign manager Mook, and foreign policy adviser Sullivan—regarding the Alfa Bank allegations. According to Durham’s indictment of Sussmann, this information had also been recently shared by Sussmann with *The New York Times*.

Four days later, on Sept. 19, 2016, Sussmann held a private meeting with James Baker, the FBI’s general counsel. Sussmann provided Baker with a large amount of data, including a white paper and several USB sticks, telling Baker that he had been approached by “multiple cyber experts” concerning the Alfa Bank allegations.

The FBI dismissed the data within a few days. According to emails among Sussmann’s group that were cited by Durham, Joffe was fully aware that anyone with the requisite technical knowledge would dismiss the data as meaningless. One of the tech staffers

in Sussmann’s group privately called the secret communications channel allegation “a red herring.” Another participant said, “The only thing that drive[s] us at this point is that we just do not like [Trump].”

While it isn’t known why Sussmann and Joffe proceeded with handing over such flimsy data to the FBI, their objective may not have been to start a comprehensive FBI investigation. Instead, they may have simply wanted to give the media a hook by being able to claim that the data was being looked at by the FBI. That would align with the fact that by August 2016, Sussmann and Joffe were liaising with Fusion GPS, which appears to have been the operational means for coordinating the media strategy for the Clinton campaign’s two-pronged attack.

Sussmann is charged with having lied to the FBI about who his client actually was. He claimed to not represent any client when, in fact, Sussmann was working for the Clinton campaign, a point that Durham was able to prove through billing records.

Brennan’s ICA Becomes Cornerstone of Media’s Russia Collusion Narrative

At the same time Sussmann was meeting with the FBI, Steele was being directed by Fusion GPS to meet with the media—including *The New York Times*, *The Washington Post*, and *Yahoo News*, which were all verbally briefed by Steele on his dossier.

It was during this period, at Brennan’s urging, that the Intelligence

Community began its efforts to build a narrative that Russia was interfering in the 2016 election. On Oct. 7, 2016, the Intelligence Community issued a joint statement that claimed the group of organizations was confident that Russia “directed the recent compromises of emails ... including from US political organizations.”

Brennan’s actions to firmly establish a narrative of Russian interference would become even more significant as Brennan was about to embark on his creation of the Intelligence Community Assessment (ICA).

The ICA would become the cornerstone of the false allegation that Trump colluded with Russia.

The assessment, which was officially commissioned by Obama after the 2016 election but appears to have begun earlier, was completed by early January 2017. Crucially, a two-page summary of the Steele dossier was attached to the final version of the ICA.

As soon as the ICA was published, the entire focus of the media’s attention centered on the Steele dossier, which was published by *Buzzfeed* on the very same day that the media started reporting about the ICA, Jan. 10, 2017.

The fact that the dossier was included in Brennan’s ICA effectively gave the dossier the credibility it needed for the media to publish stories based on it, including the infamous pee tape story.

The media had been in possession of the dossier or its stories since at least September 2016 when Steele began briefing reporters. However, aside from

The ICA would become the cornerstone of the false allegation that Trump colluded with Russia.



FROM L: TOLGA AKMEN/AP VIA GETTY IMAGES; MARK WILSON/GETTY IMAGES

a few notable exceptions, the media didn’t report on Steele’s dossier because they weren’t able to corroborate any of his stories.

By legitimizing the dossier, the Intelligence Community effectively ensured that Trump would be saddled with claims of Russia collusion throughout his presidency.

Within 14 days of the ICA’s publication, on Jan. 24, 2017, Danchenko was interviewed by the FBI and disavowed

many of the dossier’s stories. It was at this point that the Intelligence Community factually knew that the dossier had been made up by Steele and his associates.

They already knew that Sussmann’s Alfa Bank claims were false. Yet they kept this information to themselves.

It’s through Durham, as well as the efforts of online researchers, that the truth about the Clinton campaign’s two-pronged swift boat project is finally emerging. ■

ALLEGEDLY, THE FBI

officially opened its Crossfire Hurricane investigation into ties between the Trump campaign and Russia on July 31, 2016.



TRUMP TOWER
on Fifth Avenue in New York
on Jan. 8, 2018.

BRYAN R. SMITH/FP VIA GETTY IMAGES

SPYING ON TRUMP

Tech executive allegedly spied on White House and Trump Tower, raising national security implications

JEFF CARLSON & HANS MAHNCKE
News analysis

A Feb. 11 filing from special counsel John Durham has raised major national security concerns over access to White House internet traffic.

The filing, which was submitted in connection with the indictment of Michael Sussmann, a former attorney to Hillary Clinton's 2016 campaign, reveals that Rodney Joffe, a tech executive who was working with Sussmann, had exploited access to domain name system (DNS) internet traffic pertaining to the Executive Office of the President of the United States (EOP) as well as Trump Tower and Donald Trump's Central Park West apartment building.

The filing also discloses that Joffe, a private individual who has been implicated in mail order scams in the past, had access to the White House's DNS internet traffic since at least 2014.

Joffe gained this access when his firm, Neustar, was hired by the government to "access and maintain dedicated servers for the EOP as part of a sensitive arrangement whereby it provided DNS resolution services" to the Executive Office of the President.

Durham doesn't state whether Joffe's access to the President's Office was abused between 2014 and 2016 when Barack Obama was president. However, Durham alleges that when Trump became president, Joffe "and his associates exploited this arrangement by mining the EOP's DNS traffic" in order to →



PRESIDENT DONALD TRUMP speaks on the phone with Russian President Vladimir Putin from the Oval Office on Jan 28, 2017.

gather “derogatory information about Donald Trump.”

DNS functions as a phone book of the internet. By monitoring DNS internet traffic, Joffe would have had access to information about which websites were being accessed from the White House. But according to Durham, the DNS data was “among the Internet data” mined and exploited by Joffe, suggesting that Joffe had access to additional data about Trump’s internet activities.

Durham’s filing states that Joffe tasked a small group of university researchers to mine internet data to establish “an inference” and “narrative” tying Trump to Russia. Durham said that in doing so, Joffe “was seeking to please certain ‘VIPs.’” According to Durham, Joffe identified these VIPs as individuals at Sussmann’s law firm, Perkins Coie, and the Clinton campaign.

While Durham’s latest filing doesn’t state whether Joffe was directly paid for spying on Trump’s internet activities, an earlier Durham filing stated that in addition to Joffe’s intent to please “certain VIPs,” Joffe claimed to have been offered a high-ranking position in a Clinton administration. An earlier Durham filing had noted that Joffe was also monitoring the internet traffic of an unknown employee at the office of the Inspector General of the Department of Justice.

In response to Durham’s filing, a spokesperson for Joffe told media outlets that: “Contrary to the allegations in this recent filing, Mr. Joffe is an apolitical Internet security expert with decades of service to the U.S. Government who has never worked for a political party, and

who legally provided access to DNS data obtained from a private client that separately was providing DNS services to the Executive Office of the President (EOP).”

It is noteworthy that—despite the new information disclosed regarding Joffe—Durham’s latest filing nominally pertains to a potential conflict of interest for Sussmann’s current counsel, Latham and Watkins. Latham previously represented other parties who are included in Durham’s investigation whose interests may conflict with Sussmann’s. In addition, Latham also represented Perkins Coie “in connection with events that likely will be relevant at trial,” and was cited by Durham as having “maintained professional and/or personal relationships with individuals who could be witnesses.”

Durham is requesting an on-the-record waiver by Sussmann, which would preclude him from challenging a conviction on the grounds of having had conflicted counsel. While requesting a waiver isn’t out of the ordinary (Durham similarly requested a waiver from Igor Danchenko, Christopher Steele’s source who was indicted by Durham in November 2021), Durham effectively updated the public on the progress of his investigation.

Role of Biden National Security Adviser Jake Sullivan

Durham has implied that the efforts of Sussmann and Joffe’s team likely began sometime in April 2016. The initial indictment of Sussmann specifically notes that data had already been aggregated from “on or →



JOHN DURHAM is sworn in as the U.S. attorney for the District of Connecticut, in New Haven, Conn., on Feb. 22, 2018.

about May 4, 2016, through on or about July 29, 2016.”

But there may have also been some earlier coordination that possibly involved members of the Clinton campaign in the leadup to the data collection efforts. On Feb. 26, 2016, Jennifer Palmieri, communications director for the Clinton campaign, was asked in an email by former Bill Clinton adviser Joel Johnson, “Who was in charge of the Trump swift boat project?”—a reference to smear campaigns initiated against political opponents.

That early exchange is all the more notable given that Palmieri’s name appears in Durham’s Sussmann indictment. The reference is made in connection

with an email exchange regarding the allegations of a secret communications channel between the Trump Organization and Russia’s Alfa Bank. That email exchange involved former Perkins Coie attorney Marc Elias and three Clinton campaign officials: communications director Palmieri, Clinton campaign manager Robbie Mook, and Jake Sullivan, who at the time was the senior foreign

policy adviser to the Clinton campaign. Sullivan now serves as President Joe Biden’s national security adviser.

The email exchange about the now-disproven Alfa Bank allegations took place on Sep. 15, 2016, only four days before Sussmann took the Alfa information to the FBI. Sussmann is charged with having misrepresented who his client was when he took the

Durham’s filing states that Joffe tasked a small group of university researchers with mining internet data to establish ‘an inference’ and ‘narrative’ tying Trump to Russia.

FROM L: COURTESY OF THE U.S. ATTORNEY’S OFFICE FOR THE DISTRICT OF CONNECTICUT; ANNA MONEV/MAKER/GETTY IMAGES

false Alfa allegations to the FBI.

When questioned by the House Intelligence Committee on Dec. 21, 2017, Sullivan implied he had no direct knowledge of these matters, telling House investigators that Elias would “occasionally give us updates on the opposition research they were conducting.” Sullivan testified that he “didn’t know what the nature of that effort was” or “who was funding it.” He also downplayed any specific insights from Elias, telling House investigators that the information provided by Elias “tended to be pieces of information that I’d heard from reporters as well.”

Despite these claims, Sullivan played a material role in disseminating information regarding the Alfa Bank allegations, a fact that undoubtedly hasn’t escaped Durham’s attention.

Alfa Bank would gain national attention on Oct. 31, 2016, when three separate articles were published. The most cited of these was an article in Slate by Franklin Foer that detailed many of Sussmann’s allegations to former FBI general counsel James Baker. Foer was one of the journalists with whom Sussmann had been in contact during the same period that he was speaking with the FBI.

Immediately following the publication of Foer’s article, Hillary Clinton sent a tweet stating that “computer scientists have apparently uncovered a covert server linking the Trump Organization to a Russian-based bank.” Clinton’s tweet included a statement from Jake Sullivan that claimed, “This could be the most direct link yet between Donald Trump and Moscow.”

Both Sullivan and Palmieri took the lead in briefing the media on the Trump-Russia collusion allegations in 2016. Palmieri wrote about their efforts in

NATIONAL SECURITY ADVISER Jake Sullivan speaks during the daily press briefing at the White House on Feb. 11, 2022.

March 2017, noting that she and Sullivan “were on a mission to get the press to focus on ... the prospect that Russia had not only hacked and stolen emails from the Democratic National Committee, but that it had done so to help Donald Trump and hurt Hillary Clinton.”

CIA Relayed Early Warnings on Clinton Plot to Vilify Trump

Sullivan’s role as a major promoter of the false Alfa Bank allegations is all the more notable in light of a declassified CIA memo that was sent to former FBI Director James Comey and then-Deputy Assistant Director of Counterintelligence Peter Strzok in September 2016.

That memo detailed the intercept of information that Hillary Clinton had purportedly approved “a plan concerning U.S. presidential candidate Donald Trump and Russian hackers hampering U.S. elections as a means of distracting the public from her use of a private email server.”

The contents of the memo were buttressed by the release of handwritten

notes taken by then-CIA Director John Brennan at a July 28, 2016, meeting with then-President Barack Obama. The notes show that Brennan shared intelligence with Obama that Clinton had approved “a proposal from one of her foreign policy advisers to vilify Donald Trump by stirring up a scandal claiming interference by the Russian security service.” Comey appears to have been present at the briefing.

The CIA memo and Brennan’s briefing to Obama regarding claims about Clinton’s plan to invoke potential Russian interference are all the more significant as Brennan would just over a month later start to create the Intelligence Community Assessment (ICA) which alleged that Russia interfered in the 2016 election. Published in January 2017, Brennan’s assessment would become a cornerstone of the false allegation that Trump colluded with Russia.

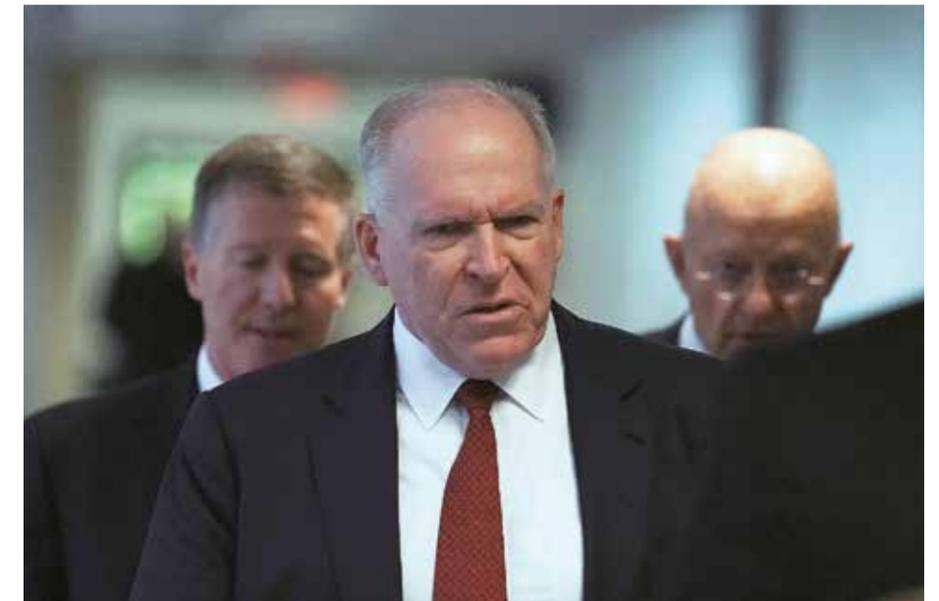
Durham’s indictment of Sussmann, along with his subsequent court filings, now confirm that the intelligence Brennan shared with Obama was →





(Left) **THE LOBBY** of Central Intelligence Agency headquarters in Langley, Va., in this file photo.

(Right) **FORMER CIA DIRECTOR** John Brennan arrives at a closed-door hearing before the Senate Intelligence Committee in Washington on May 16, 2018.



correct—there was a plan to vilify Trump and that plan was being carried out by Clinton associates such as Sussmann and Joffe. And the CIA’s description of Clinton’s “foreign policy advisor” would appear to match Sullivan’s working title at the time.

The timing of Brennan’s briefing is significant because it came only three days before the FBI officially opened its Crossfire Hurricane investigation into the alleged ties between the Trump campaign and Russia. This also raises questions as to why the Clinton campaign wasn’t investigated by the FBI.

Durham’s indictment also notes that Sussmann took the Alfa Bank allegations, along with “additional allegations” which stemmed from Joffe’s surveillance of Trump’s internet activities at the White House, to the CIA on Feb. 9, 2017. That meeting, which appears to have involved several agency employees, is all the more notable given the CIA’s memo

to the FBI regarding allegations that Clinton had approved the plan to vilify Trump.

It doesn’t appear that the CIA opened its own investigation or prompted the FBI to do so in the aftermath of the meeting with Sussmann. Curiously, by this time, the Alfa Bank allegations were public and had been investigated by the FBI, which had quickly refuted them. The “additional allegations” comprised DNS lookups that allegedly “demonstrated that Trump and/or his associates were using supposedly rare, Russian-made wireless phones in the vicinity of the White House and other locations.”

In 2016, then-CIA Director John Brennan told then-President Barack Obama about Hillary Clinton’s plan to invoke potential Russian interference.

In fact, as Durham explains, Sussmann and Joffe failed to disclose that there were millions of such lookups from U.S. internet addresses and the fact that some of them occurred in the vicinity of the White House was meaningless.

Given the FBI’s earlier dismissal of Sussmann’s Alfa Bank data and the easily debunked Russian phone allegations, it seems surprising that the CIA didn’t contact the FBI or instigate an investigation into who was behind the false allegations—particularly when Sussmann was known within the intelligence community circles to be tied to the Clinton campaign.

The fact that the Feb. 9 allegations included information gleaned from Trump’s White House DNS traffic should have alerted the intelligence community that the allegations originated with Joffe. This matter is particularly unsettling. If the FBI or CIA became aware that the data had originated with Joffe, it would seem equally likely that they would have been aware of the manner by which Joffe came by the data.

Joffe’s Access to Highly Sensitive Data Disregarded by FBI, CIA

In the 1980s, Joffe, who is originally from South Africa, was involved in a mail scam in which people across the United States received notices by mail that they had “won” a grandfather clock. They were then asked to pay \$70 to cover shipping and handling. Iowa’s then-Attorney General Tom Miller reached a settlement with Joffe, noting that at least 10,000 residents had been scammed. Miller

said that the victims of the scam “were merely buying a cheap, battery-powered, pressed wood and plastic clock at an inflated price.”

Historical news clippings show that the scam extended to other states, including Arizona, Missouri, New Mexico, Rhode Island, and Tennessee.

Despite his forays into mail scams, Joffe went on to found UltraDNS, an internet directory services company that was eventually taken over by another IT company, Neustar, in 2006. It was while he was senior vice president and head of security at Neustar that Joffe is alleged to have exploited his access to private internet data, including data from the EOP.

While it isn’t known how Joffe was able to gain the security clearance sufficient to access highly sensitive data that included information on the president’s internet activities, the fact that he was able to do so raises serious national se-

curity concerns. According to Durham, the data went beyond DNS lookups, and could potentially encompass any number of sensitive files, including personal medical or tax information.

Although Durham is alleging that Joffe abused his access to this sensitive data to find derogatory information on Trump on behalf of the Clinton campaign, there is no way of knowing what else he might have done with the information. In addition to those affiliated with the Clinton campaign, any number of foreign adversaries or members of the media would have been very keen to access the data themselves. The fact that the FBI and CIA apparently weren’t disturbed by Joffe’s access and his efforts to exploit that access for political purposes is equally alarming.

During the tenure of former FBI Director James Comey, Joffe received the FBI’s Director’s Award for Cybersecurity for 2013. ■

FROM: SAUL LOEB/AFP VIA GETTY IMAGES; ALEX WONG/GETTY IMAGES



MICHAEL HOROWITZ, inspector general for the Justice Department, prepares to testify in a Senate Committee hearing at the U.S. Capitol in Washington on Dec. 18, 2019.

SAMUEL CORUM/GETTY IMAGES

WITHHOLDING KEY EVIDENCE

Court filing shows IG failed to disclose to Durham 2 FBI cell phones, personal meeting with Sussmann

JEFF CARLSON & HANS MAHNCKE
News analysis

A Jan. 25 court filing by special counsel John Durham reveals that Department of Justice (DOJ) Inspector General Michael Horowitz concealed crucial information from Durham in connection with the prosecution of Michael Sussmann, a former attorney to Hillary Clinton's 2016 presidential campaign.

The filing also reveals that Horowitz failed to disclose that his office is in possession of two cellphones used by former FBI general counsel James Baker. The phones may contain information that's important to the Sussmann case, as well as to a separate

criminal leak investigation of Baker that Durham personally conducted between 2017 and 2019.

Horowitz first came to public prominence in June 2018 when he issued a report on the FBI's actions leading up to the 2016 presidential election. Horowitz followed up in December 2019 with another report on the FBI's Crossfire Hurricane investigation and the bureau's pursuit of a Foreign Intelligence Surveillance Act (FISA) warrant on Trump campaign aide Carter Page.

Durham's filing on Jan. 25 involves discovery issues surrounding Sussmann's upcoming trial for allegedly making a materially false statement to Baker. As part of Durham's discovery obligations, the special counsel's office met with Horowitz and his →



MICHAEL SUSSMANN arrives at federal court in Washington on May 18, 2022.

team on Oct. 7, 2021, and subsequently requested any materials, including any “documents, records, and information” regarding Sussmann that may have been in the possession of the Office of Inspector General (OIG).

On Dec. 17, 2021, Horowitz’s office provided Durham with information that Sussmann had given the OIG information in early 2017, that an OIG “employee’s computer was ‘seen publicly’ in ‘Internet traffic’ and was connecting to a Virtual Private Network in a foreign country.” It isn’t clear what this information was about, why Sussmann would know about this information, or why he would have been

interested in the internet activities of OIG employees.

It also isn’t known why Sussmann, a private citizen, would have been seeking out the OIG shortly after he was pushing information detrimental to Trump to both the FBI and the CIA.

At the time of the Dec. 17 disclosure, “the OIG represented to [Durham’s] team that it had ‘no other file or other documentation’ relating to this cyber matter.” However, last month, Sussmann’s attorneys informed Durham that there was additional information, including the fact that Sussmann had met with Horowitz in March 2017 to personally pass along the information

about the OIG employee’s computer VPN use. This meeting between Horowitz and Sussmann hadn’t been disclosed by Horowitz during meetings and interactions with Durham.

It isn’t known why Horowitz would have taken a personal meeting from Clinton’s campaign lawyer. According to Bill Shipley, a former federal prosecutor, “You don’t generally just call the IG and get a meeting with him personally.” It also isn’t clear why Horowitz chose not to inform Durham of the meeting—particularly as it pertained directly to information that Horowitz’s office had been specifically requested to relay to

TENGE/PHOTO FOR THE EPOCH TIMES

Durham’s special counsel probe.

Sussmann’s attorneys further informed Durham that the VPN information had come from Rodney Joffe, a computer expert with close connections to the FBI. This was another material fact that hadn’t been disclosed by Horowitz. Joffe is of great import to Durham’s case against Sussmann and to the wider investigation into the origins of the Russia collusion investigation, since he was alleged to have provided Sussmann with falsified data about contacts between the Trump Organization and Russia’s Alfa Bank.

Those alleged contacts were used by Hillary Clinton and her campaign to push the narrative that Trump was compromised by the Kremlin. Durham had noted in a previous filing that “[Joffe’s] goal was to support an ‘inference’ and ‘narrative’ regarding Trump that would please certain ‘VIPs.’” A subsequent filing by Durham noted that these VIPs were “individuals at the defendant’s [Sussmann’s] law firm and the Clinton Campaign.” Joffe also is alleged to have been offered a high-ranking position in a Clinton administration.

The omission of information by Horowitz didn’t end with his meeting with Sussmann or the information on Joffe. Durham’s office has since discovered that the OIG “currently possesses two FBI cell phones” that belonged to Baker, the former FBI general counsel. Durham’s discovery of Horowitz’s possession of Baker’s two phones doesn’t appear to have come through Horowitz or his office.

According to Durham’s filing, “In early January 2022, the Special Counsel’s Office learned for the first time that the OIG currently possesses two FBI cellphones of the former FBI General Counsel.”

Sussmann was alleged to have lied

to Baker when he tried to push incriminating data about Trump and Alfa Bank to the FBI; that data later turned out to be false.

That made Baker, and his cellphones, central to the case against Sussmann.

There’s also another matter that relates directly to Baker and his undisclosed phones. Baker had been the subject of a criminal leak investigation for “unauthorized disclosures to the media” that was being conducted by Durham when he was the U.S. attorney for the District of Connecticut.

Following the Jan. 25 filing, Horowitz’s office apparently told Durham that the existence of one of the cellphones may have been mentioned on a conference call that took place four years ago.

“The OIG Special Agent had a conference call with members of the investigative team, including Mr. Durham, during which the cellphones likely were discussed,” read an additional Jan. 28 court filing.

However, Durham states in this new filing that not only does he not recall the conference call, but also that he had no knowledge of Horowitz’s possession of Baker’s cellphones before being informed of their existence by a separate investigative team within the FBI, on Jan. 6, 2022.

Notably, Horowitz is unable to say with certainty that Baker’s phone was even mentioned on the Feb. 12, 2018, conference call. Moreover, at the time of the conference call, Horowitz’s office wasn’t in possession of either of Baker’s cellphones.

There is no record indicating that

when Horowitz did gain possession of Baker’s phone several days later, on Feb. 15, 2018, he informed Durham about it. Nor is there any record of subsequent communications between Horowitz’s office and Durham regarding the Baker phone. This was despite the fact that Durham was conducting a criminal leak investigation of Baker around the same time Horowitz gained access to Baker’s cellphone.

Although it’s not currently known when Horowitz took possession of a second Baker cellphone, the fact that there appears to have been no follow-up from either Horowitz or Durham at the time suggests that neither of the phones had ever been mentioned to Durham. This is further backed up by the fact that as recently as Jan. 5, 2022, Durham was seeking Baker’s “call log data” from the FBI’s Inspection Division, suggesting he didn’t know that Horowitz possessed Baker’s phones.

High-Profile Investigations

Horowitz was in charge of a sequence of highly influential investigations into events leading up to and following the 2016 presidential election. Horowitz examined the FBI’s investigation of Clinton’s private email server, as well as the FBI’s investigation of the Trump campaign, alleged Russian collusion, and the resulting Carter Page FISA and abuse of the FISA court.

The Clinton email investigation review resulted in a 2018 OIG report that outlined a number of failures

on the part of the FBI and made →

“We do not agree with some of the report’s conclusions as to predication and how the FBI case was opened.”

JOHN DURHAM special counsel



CARTER PAGE, petroleum industry consultant and former foreign policy adviser to Donald Trump, in New York on Aug. 21, 2020.

recommendations such as improving the FBI's media contact policy and clarifying guidelines on making public statements. However, certain crucial issues—such as the fact that then-FBI Deputy Director Andrew McCabe was supervising the investigation while his wife was running for a Virginia state Senate seat and had received large sums of campaign funding from Clinton ally Terry McAuliffe—were glossed over by Horowitz.

The IG merely recommended that “ethics officials include the review of campaign donations for possible conflict issues when Department employees or their spouses run for public office.”

Horowitz's 2018 review was followed by a deeper, more thorough investigation that resulted in the Carter Page FISA review report in 2019. Although this report detailed a litany of failures by the FBI and “at least 17 significant errors or omissions in the Page FISA applications,” the IG's report conclud-

ed that there were valid grounds for opening the Crossfire Hurricane probe of the Trump campaign for alleged collusion with Russia.

Immediately following the release of the IG's 2019 report, then-Attorney General William Barr and Durham, the U.S. attorney who Barr appointed to run a parallel criminal investigation into the origins of the FBI's investigation, issued statements disputing Horowitz's conclusion regarding the opening of Crossfire Hurricane.

Durham, who was later appointed special counsel by Barr, noted that unlike the IG's investigation, his wasn't limited to “developing information from within component parts of the Justice Department” and included

The special counsel's discovery that Horowitz possessed Baker's two phones doesn't appear to have come through Horowitz or his office.

information from “other persons and entities, both in the U.S. and outside of the U.S.” Durham stated that based on the information he had collected, he advised Horowitz a few weeks before the IG's report was made public that “We do not agree with some of the report's conclusions as to predication and how the FBI case was opened.”

The issue of whether the FBI's Trump-Russia investigation was properly predicated is critical. If FBI leadership opened the investigation based on false pretenses, this would be direct evidence that the FBI's top leadership had interfered in a presidential campaign. However, if the investigation was found to be properly predicated and legitimately opened, then the FBI's leadership would effectively be cleared of any legal wrongdoing, and any blame for subsequent investigative failures could fall on mistakes by lower-level staff.

Although it has never been entirely clear how or why Horowitz had determined that the information used by the FBI was sufficient to open the investigation, there had been speculation that Horowitz was hampered by the fact that an IG's investigative reach is limited to their own department and therefore he might have reached the wrong conclusion. But this explanation fails to account for the fact that Horowitz could have left his conclusion on the FBI's opening of its investigation out of his report, precisely because of his limited investigative powers.

Horowitz's conclusion was all the more surprising, given the damning

information contained within his 2019 report. It cited material failures of the FBI, including “not only the operational team, but also of the managers and supervisors, including senior officials, in the chain of command”—with regard to the FISA warrant application on Trump campaign aide Page.

Horowitz's findings were so significant that he recommended the FBI's “entire chain of command” outlined in his report for “consideration of how to assess and address their performance failures.”

During congressional testimony, Horowitz also appeared to directly contradict assertions regarding his own report's conclusion of FBI exoneration.

“It's unclear what the motivations [of the FBI] were,” he noted. “On the one hand, gross incompetence, negligence? On the other hand, intentionality, and where in between? We weren't in a position—with the evidence we had—to make that conclusion. But I'm not ruling it out.”

New Questions

However, the new disclosure of Horowitz's failure to fully cooperate with Durham might raise new questions about the conclusions the IG drew in his reviews of the Clinton email investigation, the FBI's Crossfire Hurricane inquiry, and the Carter Page FISA warrant applications.

Both of the Horowitz reports from 2018 and 2019 found significant errors on the part of the FBI, but in a manner that could be described as a “limited hangout,” his reports stopped short of formally declaring fundamental wrongdoing that would have invalidated the FBI probes—despite seemingly overwhelming evidence.

Notably, despite the lengthy list of FBI errors and misdoings, only one in-

dividual was ultimately charged—and he received only probation, despite having fabricated evidence that allowed the Page FISA to go forward.

Media organizations echoed the report's 2019 conclusion with headlines such as “Justice Department Watchdog Finds Trump-Russia Probe Was Not Tainted by Political Bias” or “Report Sharply Criticizes FBI but Finds No Partisan Bias in Russia Probe.”

To this day, there has been no resolution of Horowitz's questionable finding that the Trump-Russia collusion investigation was properly predicated. Horowitz claimed that the investigation began because of a tip from the Australian ambassador in London that a Trump aide, George Papadopoulos, had made a “suggestion of a suggestion” that Russia might be able to help Trump get elected.

At the time the tip was made, on July 26, 2016, the author of a dossier on Trump, former MI6 agent Christopher Steele, had already shared early dossier reports with his FBI handler, Michael Gaeta, who noted that those reports were already circulating within the FBI and at a “high level in our nation's capital.”

The FBI's investigation also immediately targeted Trump campaign manager Paul Manafort, as well as Page, even though Papadopoulos had never mentioned either of the two. A few days later, the investigation added retired Gen. Michael Flynn—at that point an adviser to the Trump campaign—to its list of targets, again without Papadopoulos having ever mentioned Flynn.

It has long been suspected that the FBI's Trump-Russia investigation had been underway for some time before it was formally opened on July 31, 2016. And we know that the FBI had previously opened a counterintelligence



JOHN DURHAM speaks at a conference in New Haven, Conn., on Sept. 20, 2018.

investigation of Page months earlier, on April 6, 2016, immediately after his appointment to the Trump team was announced. The tip from the Australian ambassador appears to have been a convenient excuse to formalize the investigation, rather than the cause of its inception.

Based on the limited information that can be gleaned from Durham's latest filing, it isn't yet clear what connection, if any, exists between Horowitz's early contact with Clinton campaign lawyer Sussmann, and his subsequent findings on the Clinton email investigation, the larger Trump-Russia investigation, and the Page FISA application.

Sussmann's defense will no doubt use this latest revelation to cast doubt on Durham's investigation. It appears his attorneys already are attempting to cast doubt on Baker's character as a witness.

For Durham, the issue goes far beyond his investigation of Sussmann. It was already known that Durham was threading a political needle between pursuing his investigation and keeping the heads of the Justice Department at bay. ■

THE LOBBY OF CIA HEADQUARTERS
in Langley, Va., in this file photo.



BRENDAN SMIALOWSKI/APPVA GETTY IMAGES

CIA KNEW DATA WAS FAKE

Filing reveals CIA knew in early 2017
that data tying Trump to Russia was fake

JEFF CARLSON & HANS MAHNCKE
News analysis

As the trial of Hillary Clinton campaign lawyer Michael Sussmann approached, special counsel John Durham and Sussmann's lawyers were arguing over what evidence could be admitted. As part of those arguments, Durham filed a "routine" response late on April 15, detailing why the evidence he's seeking to admit is both relevant and admissible.

These back-and-forth filings are common in the weeks leading up to federal trials, but the disclosures made by Durham were anything but routine.

The most striking of these disclosures concerns data trails that Sussmann and

his cohorts, including "Tech Executive-1" Rodney Joffe, had supposedly uncovered between Trump and the Russian Alfa Bank. It was widely claimed that these data trails established a direct communications channel between Trump and the Russian government.

Sussmann took the data to the FBI in September 2016 hoping to trigger an investigation into Trump and his campaign. The existence of an FBI investigation would then be used by the Clinton campaign as a media kill shot against Trump in the final weeks of the 2016 election.

The scheme didn't work as planned, and Trump went on to win the election. But that setback didn't put the brakes on an operation that turned into an effort to hobble Trump's presidency. In Feb- ➔

DESPITE THE CIA KNOWING ALMOST IMMEDIATELY THE DATA WAS FAKE, THE AGENCY LEFT THE PUBLIC IN THE DARK



THEN-PRESIDENT DONALD TRUMP speaks to the media before boarding Marine One en route to Ohio, on the White House South Lawn in Washington on Aug. 1, 2019.

February 2017, after Trump was inaugurated, Sussmann took the same data trails to the CIA.

CIA Knew Early on That Sussmann Data Fabricated

Durham disclosed that the CIA immediately knew that both data trails were fake, finding that they were not “technically plausible,” that they didn’t “withstand technical scrutiny,” that they “contained gaps,” that they conflicted with themselves, and that they were “user-created” and not machine- or tool-generated.

The data provided by Sussmann consisted of alleged internet lookups between the Trump Organization and Alfa Bank as well as alleged use of a Russian-made YotaPhone in Trump’s vicinity at Trump Tower, near a Trump interview in Michigan, and near the White House after he was elected president.

The fact that the phone data was highly questionable was obvious from the start.

Sussmann alleged there were only a dozen such phones in the United States, claiming that they weren’t publicly available but were sometimes gifted by Russian government officials. However, that information was false. YotaPhones were officially launched in the United States in 2014. And, as Durham notes, between 2014 and 2017, there were millions of lookups of YotaPhones that originated with U.S.-based internet addresses.

The sheer number of YotaPhone lookups has led to speculation that Sussmann and other Clinton operatives might have cherry-picked data to make those communications look like something they weren’t. In other words, there was real data, but it was misrepresented by Sussmann. Proof of that allegation would

Not only was Trump spied on, but some form of spying involved the collection and subsequent manipulation of data after he became president.

have been bad enough, but Durham revealed that the CIA determined that the data was in fact “user-created”—it was fabricated.

This incredible disclosure immediately begs the question, who created the data? It also highlights a larger question: If the CIA knew this data was falsified in February 2017, why did it allow Trump to be hounded throughout his presidency with false claims of Russia collusion?

Furthermore, why did special counsel Robert Mueller, who spent \$42 million in taxpayer money supposedly investigating Trump–Russia collusion, keep forging ahead? The information from the CIA changed everything. Why did Mueller and his team never disclose that the underlying data trail was fake? Nor is that information anywhere in their lengthy two-volume report.

Durham’s latest filing also contains two CIA reports that pertain to the agency’s interactions with Sussmann. They detail how Sussmann gave data to the CIA after Trump had assumed the presidency. Crucially, what the CIA notes show is that Sussmann claimed that the Russian phone activity continued after Trump’s “move to the White House.”

These CIA reports contradict the corporate media’s narrative that neither Sussmann nor Joffe spied on Trump. Not only was Trump spied on, but some form of spying involved the collection and manipulation of data after he became president.

The CIA notes also reveal that the data had been collected since April 2016, which coincides with the start date of Sussmann’s efforts to tie Trump to Russia on behalf of the Clinton campaign.

DESPITE THE CIA KNOWING ALMOST IMMEDIATELY THE DATA WAS FAKE, THE AGENCY LEFT THE PUBLIC IN THE DARK

In another move that signals a shift in approach, Durham has laid out details of the coordination that took place between Sussmann’s cyber operation and British ex-spy Christopher Steele’s dossier operation that was being run by Fusion GPS. We’ve known since last year that Sussmann and Steele represented two separate prongs of the Clinton campaign’s efforts to smear Trump as a Russian stooge.

Connecting the 2 Prongs

We also knew that those two prongs converged in late July 2016—directly in front of the FBI’s opening of its investigation into the Trump campaign—when Steele and Sussmann met in Washington along with a host of other Clinton campaign operatives.

Until the disclosure in April, Durham hadn’t connected the two prongs of Clinton’s plan, choosing instead to focus on Sussmann’s alleged crime of lying to the FBI.

Durham has since told the court that Sussmann and Steele were two parts of the same joint venture, a move that inches us closer to possible conspiracy charges being brought by Durham against participants in the scheme. Connecting Sussmann directly to the Clinton campaign’s broader efforts to vilify Trump also establishes a motive for Sussmann’s actions.

Specifically, Durham stated that Sussmann “represented and worked for the Clinton Campaign in connection with its broader opposition research efforts,” and that through his coordination with Steele, Fusion GPS, and Joffe, Sussmann took steps to integrate the Alfa Bank allegations into those opposition research efforts.

Durham also focused on the fact that Sussmann personally told Steele about the Alfa Bank data trail at their July 2016 meeting. And as we already know, Steele

was then tasked with writing a dossier report on the Alfa allegations.

Durham also noted that Steele’s report on the Alfa allegations was completed only a few days before Sussmann brought the allegations to the FBI. Even more astonishingly, the FBI was given Steele’s dossier by Fusion GPS on the same day that Sussmann took the Alfa allegations to the FBI.

And finally, Durham announced that there were at least two individuals who had apparently flipped and had been offered immunity.

2 Individuals Offered Immunity by Durham

Notably, the first of these individuals—who hasn’t been named by Durham—is an employee at Fusion GPS, the firm of Clinton campaign contractors who coordinated the efforts to jointly push Steele’s and Sussmann’s allegations into the media. It’s not known what the Fusion employee has told Durham, but given the overarching question facing the jury—whether Sussmann went to the FBI to push a false narrative or was merely acting as a good Samaritan—it’s entirely possible that the employee will testify that Sussmann’s efforts were part of a broader scheme to falsely vilify Trump.

The second person that’s been offered

immunity is David Dagon, an IT operative from Georgia Tech. Dagon was part of a small group of IT specialists tasked by Joffe to find data that linked Trump to Russia. Durham previously revealed that this group of IT operatives knew they couldn’t manufacture any claims that “would fly public scrutiny.” These same operatives also admitted in private that “the only thing that drove them to do what they were doing was that they ‘just do not like Trump.’”

Durham has told the court that he gave Dagon immunity as the other IT operatives in the Joffe’s group had invoked their right against self-incrimination. Giving Dagon immunity was the only way Durham could obtain “otherwise-unavailable facts” underlying the Clinton campaign’s scheme to vilify Trump.

That both Dagon and a Fusion GPS employee are now cooperating with Durham is significant—not only in the Sussmann case, but for all the Clinton campaign operatives who were involved in the scheme.

The looming question is now whether Durham will charge anyone with conspiracy. He clearly has plenty of evidence, but for reasons not fully understood, he hasn’t used that evidence to date. It may be that he faces significant internal

pressure from DOJ officials, or that he’s trying to extend the legal clock until after the midterms, knowing that prosecuting the Clinton campaign will require political cover. ■



FBI HEADQUARTERS in Washington on March 8, 2018.



INVESTIGATION

Timeline of FISA Abuse

In pursuit of surveillance of a Trump campaign adviser, the FBI consistently ignored exculpatory evidence

In its pursuit of establishing surveillance on the Trump campaign, the FBI turned its attention to Trump campaign adviser Carter Page in the spring of 2016, culminating in the issuance of a FISA warrant—which allows for some of the most intrusive spying methods on an American citizen.

As part of this process, the FBI relied extensively on the flawed Steele dossier, leading an FBI legal counsel to note that this was “essentially a single source FISA.”

The report issued by Department of Justice (DOJ) Inspector General Michael Horowitz reveals a surprising number of details on how this process developed, as well as numerous problems with the evidence that was presented to the FISA court.

Important information was at times altered or not properly shared with the DOJ.

Here we provide a comprehensive timeline of details from the inspector general’s report, describing how the FBI rushed to spy on the Trump campaign and the flaws in its case.

TIMELINE OF FISA ABUSE

SPECIAL COUNSEL JOHN DURHAM'S INVESTIGATION INTO THE ORIGINS OF THE FBI'S TRUMP-RUSSIA INVESTIGATION

2016

MARCH 2



Carter Page, who would be publicly named by presidential candidate Donald Trump as a campaign adviser on March 21, is interviewed by the FBI's New York field office in preparation for the trial of an indicted Russian intelligence officer in the Evgeny Buryakov case.

MARCH 2

The FBI's New York field office counterintelligence squad supervisor calls the Counterespionage Section of the FBI's Counterintelligence Division at headquarters to request permission to open an investigation into Carter Page.

EARLY MARCH 2016

FUSIONGPS

Fusion GPS approaches Perkins Coie—the law firm used by the Clinton campaign and the DNC—expressing interest in an “engagement,” according to an Oct. 24, 2017, response letter by Perkins Coie.

MARCH 9



A discovery is made that outside contractors for the FBI had been accessing raw FISA data since at least 2015. NSA Director Mike Rogers would direct the NSA's Office of Compliance to conduct a “fundamental baseline review of compliance associated with 702” at some point in early April 2016.

MARCH 14



CIA Director John Brennan travels to Moscow and meets with Russia's federal intelligence agency, the Federal Security Service.

MARCH 21



Carter Page and George Papadopoulos are named as part of Trump's foreign policy team in a meeting with The Washington Post's editorial board. Lt. Gen. Michael Flynn is also serving as a foreign policy adviser by this time.

MARCH 24



DNC operative Alexandra Chalupa shared concerns regarding Trump, Republican strategist Paul Manafort, and their alleged ties to Russia with Valeriy Chaly, the Ukrainian ambassador to the United States. Sen. Chuck Grassley (R-Iowa) would later raise concerns over this meeting in a letter to Deputy Attorney General Rod Rosenstein.

MAR. 28



Manafort is hired by the Trump campaign.

MARCH 29



Chalupa briefs DNC staff on Manafort, Trump, and their alleged ties to Russia.

MARCH 31



Trump campaign adviser Papadopoulos attends a “national security” meeting in Washington, with Trump and other foreign policy advisers. According to a DOJ release, Papadopoulos stated he “had connections that could help arrange a meeting between then-candidate Trump and President Putin.”

APRIL

Brennan is reportedly shown information from an intelligence agency in one of the Baltic states.

APRIL TO JUNE



Information flow from British intelligence agencies to the United States continues, according to reporting by The Guardian.

APRIL

PERKINS COIE

Perkins Coie hires Fusion GPS to “perform a variety of research services during the 2016 election cycle,” according to an Oct. 24, 2017, letter from Perkins Coie.

APRIL 1

The FBI's New York field office receives permission to open a (“redacted - likely ‘espionage’”) investigation of Carter Page.

EARLY APRIL



NSA Director Rogers directs the agency's Office of Compliance to conduct a “fundamental baseline review of compliance associated with 702,” according to a declassified FISA court ruling.

EARLY APRIL



The FBI's New York field office prepares summaries of information on Carter Page in advance of opening their investigation on him. These summaries also are provided to Counterintelligence Division officials at FBI headquarters to be used for a “director's note” and a separate “director's brief” that is held on April 27.

APRIL 6



The FBI's New York field office opens a counterintelligence (“redacted - likely ‘espionage’”) investigation of Carter Page. Despite Page's role within the Trump campaign, the investigation is not designated as a sensitive investigative matter (SIM).

APRIL 18



Rogers shuts down all FBI outside-contractor access. At this point, both the FBI and the DOJ's National Security Division likely became aware of Rogers's compliance review.

On the same day, the DNC is allegedly hacked by Russia, according to the committee.

APRIL 26

YAHOO! NEWS

Investigative reporter Michael Isikoff writes a story for Yahoo News about Paul Manafort's business dealings with Russian oligarch Oleg Deripaska. A May 3 email would reveal that Isikoff had been working with DNC operative Chalupa during this time.

APRIL 26



Maltese professor Joseph Mifsud tells Papadopoulos that “the Russians had ‘dirt’ on Clinton in the form of ‘thousands of emails.’”

APRIL 27



A director's briefing at FBI headquarters is held regarding Carter Page and the New York field office's investigation of him.

APRIL 28

Chalupa appears on a panel to discuss her research on Manafort with a group of 68 Ukrainian investigative journalists gathered at the Library of Congress, for a program sponsored by a U.S. congressional agency called the Open World Leadership Center.

Appearing with her was Isikoff, with whom she was apparently working and she had invited, according to a May 3, 2016, email that Chalupa sent to Luis Miranda, communications director of the DNC, posted by Wikileaks.

LATE APRIL



DNC IT staff allegedly detect access to the DNC network by unauthorized users.

DNC CEO Amy Dacy speaks with Michael Sussmann, a DNC lawyer and partner in Perkins Coie. Sussmann contacts Shawn Henry, CSO and president of CrowdStrike Services.

LATE APRIL



CrowdStrike is brought in to investigate the alleged hack of the DNC server and is the only entity allowed access to the physical server.

LATE APRIL



DNC IT staff report the suspected hack to the FBI but refuse to grant agents access. FBI Director James Comey would later testify that the FBI requested access to the DNC server but was denied by the DNC.

APRIL 30



Strzok sends a text message to Lisa Page saying, “And now we've switched from the Patriot Act to a wire carrying current.” It remains unclear whether this comment is related to the Trump campaign.

SPRING

FBI Director Comey and Deputy Director Andrew McCabe discuss the investigation of Carter Page with Attorney General Loretta Lynch and provide her with “information indicating that Russian intelligence reportedly planned to use Page for information and to develop other contacts in the United States,” according to the IG report. Lynch would later recount this meeting to Inspector General Michael Horowitz. Comey and McCabe both would claim not to recall this conversation.

MAY



Papadopoulos meets with Australian High Commissioner to the UK Alexander Downer. During the meeting, Papadopoulos allegedly tells Downer that the Russians had information that could be damaging to Clinton. Downer later relays the information to Elizabeth Dibble, the deputy chief of mission at the U.S. Embassy in London.

MAY



FBI pays the consulting firm of former British MI6 agent Christopher Steele \$15,000 for services rendered from July 2015 to Feb 2016.

MAY



Fusion GPS co-founder Glenn Simpson meets Steele at a European airport and inquires “whether Steele could assist in determining Russia's actions related to the 2016 U.S. elections,” as well as whether “candidate Donald Trump had any personal and business ties in Russia,” according to the IG report.

TIMELINE OF FISA ABUSE

SPECIAL COUNSEL JOHN DURHAM'S INVESTIGATION INTO THE ORIGINS OF THE FBI'S TRUMP-RUSSIA INVESTIGATION



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SEPT. 2  **Lisa Page and Strzok exchange texts regarding a briefing to Comey** in advance of Comey's briefing to the Obama White House. Page tells Strzok in one of the text messages, "Yes bc POTUS wants to know everything we are doing."

SEPT. 2  **Gaeta asks the associate division counsel** and counterintelligence supervisor at the New York field office to tell him who should receive the Steele reports at FBI HQ.

SEPT. 4  **Strzok is promoted to deputy assistant director (DAD)** of the Counterintelligence Division's Operations Branch.

SEPT. 5  **Hillary Clinton accuses Russia** of interfering with the U.S. election.

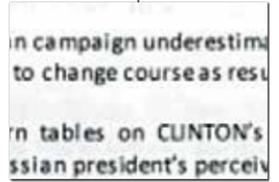
SEPT. 12  **Bruce Ohr and Gaeta exchange emails** regarding Steele. Gaeta tells Ohr that an FBI team was "looking into Steele's information." Ohr asks Gaeta to let him know whom to contact with additional information. Gaeta would later say he didn't respond to this question. **The next day**, Pientka emails Gaeta telling him how to upload the Steele reports.

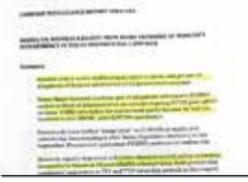
SEPT. 14 **Steele writes three memos** (111, 112, 113) in advance of his meeting with the FBI in Rome in early October 2016. According to the IG report, Steele doesn't provide the FBI with reports 112 and 113. It is not entirely clear from the IG report when report 111 was provided to the FBI. Following the November 2016 presidential election, Mother Jones reporter David Corn provides Baker with nine Steele reports, three of which (97, 105, and 112) hadn't been previously given to the FBI by Steele. One of the memos Steele writes on this day (#112) relates to allegations regarding Alfa Bank.

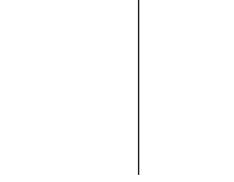
SEPT. 15  **Papadopoulos meets with Halper in London** and denies that the Trump campaign is colluding with Russia or Wikileaks in the release of emails. The FBI would omit Papadopoulos's denials from the Page FISA application.

MID-SEPTEMBER  **McCabe tells Pientka** not to have any further contact with an unknown former confidential human source (CHS) who reached out to the FBI in late July 2016 and appeared to have personal knowledge regarding Steele's election reporting and sources. McCabe would later tell the IG that he didn't remember giving Pientka these instructions.

MID- OR LATE SEPTEMBER  **Brennan, Comey, and DNI Director James Clapper** begin working on three reports on alleged Russian interference.

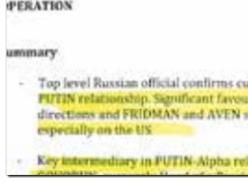
SEPT. 19  **Gaeta emails six Steele reports** (80, 94, 95, 100, 101, and 102) to Pientka at FBI headquarters. The memo (#112) containing the Alfa Bank allegations is not among these memos.

SEPT. 19  **The Crossfire Hurricane team obtains six of Steele's reports** (80, 94, 95, 100, 101, and 102). According to the inspector general, the "receipt of Steele's election reporting on September 19, 2016 played a central and essential role in the FBI's and Department's decision to seek the FISA order."

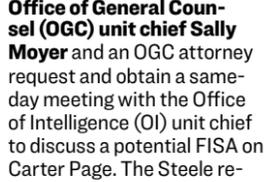
SEPT. 19  **Pientka emails Somma asking for a "source characterization statement,"** among other information on Steele.

SEPT. 19  **The Crossfire Hurricane team contacts the FBI's Office of General Counsel** about obtaining a FISA warrant to spy on Carter Page.

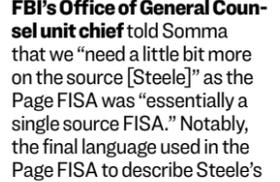
SEPT. 19  **Baker meets with Perkins Coie attorney Michael Sussmann**, who provides Baker with documents alleging communication between the Trump Organization and the Russian Alfa Bank server. Perkins Coie represents the DNC.

SEPT. 20  **The Crossfire Hurricane team drafts an intelligence memorandum** summarizing key points from six Steele reports that they had received the day before.

SEPT. 21  **The FBI's Office of General Counsel** advises the DOJ's Office of Intelligence that the FBI is ready to submit a FISA request on Carter Page.

SEPT. 21  **Office of General Counsel (OGC) unit chief Sally Moyer** and an OGC attorney request and obtain a same-day meeting with the Office of Intelligence (OI) unit chief to discuss a potential FISA on Carter Page. The Steele reports push the FISA request over the approval line. The OI unit chief would later tell the IG that "without the Steele reporting concerning Page, [the unit chief] would not have thought they could establish probable cause based on the other information the FBI presented at that time (Page's historical contacts with Russia)."

SEPT. 22  **The Office of General Counsel submits a FISA request** to the Office of Intelligence after the OI unit chief assigns a line attorney to work on the Page FISA. The FISA request, which claims that Carter Page is believed to be an "agent of a foreign power," was "not robust" and "drew almost entirely from Steele's reporting."

SEPT. 22  **FBI's Office of General Counsel unit chief** told Somma that we "need a little bit more on the source [Steele]" as the Page FISA was "essentially a single source FISA." Notably, the final language used in the Page FISA to describe Steele's reliability wouldn't be approved by Steele's handling agent, Gaeta, as is required. Somma would tell the IG that he was not aware of this requirement. Gaeta would tell the IG that "only 'some' of Steele's past reporting had been corroborated and most of it had not." Gaeta also states that Steele's reporting had never been used in a criminal proceeding.

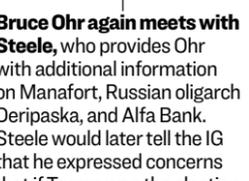
SEPT. 22  **Steele meets with Perkins Coie attorney Mark Elias.** The House Intelligence Committee's March 2018 "Report on Russia Active Measures" would note on page 143 that Perkins Coie was aware of Steele's contacts with the media.

SEPT. 23  **Gaeta provides Somma with a statement on Steele.** Notably, this statement differs from the one that would be used in the Page FISA application, and the final language used in the FISA application wouldn't be approved by Gaeta as required.

SEPT. 23  **DOJ Office of Intelligence (OI) attorney begins work on preparing the Page FISA application** and sends the first set of questions back to the Office of General Counsel attorney the same day. Early drafts of the FISA application would be shared with the OI and National Security Division management on Oct. 5 and 6, 2016.

SEPT. 23  **Yahoo News publishes an article by reporter Michael Isikoff** about Carter Page, headlined "U.S. Intel Officials Probe Ties Between Trump Advisor and Kremlin." Steele is the source for Isikoff, although the FBI would state the opposite in its FISA application on Page.

SEPT. 23  **Politico publishes the article "Who Is Carter Page? The Mystery of Trump's Man in Moscow"** by Julia Ioffe. The article appears to highlight efforts by Fusion GPS to influence media reporting. The article also mentions Alfa Bank.

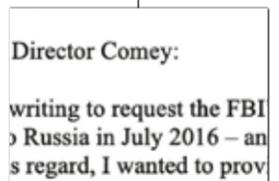
SEPT. 23  **Bruce Ohr again meets with Steele**, who provides Ohr with additional information on Manafort, Russian oligarch Deripaska, and Alfa Bank. Steele would later tell the IG that he expressed concerns that if Trump won the election, his "source network may be in jeopardy." He would tell the IG that he was concerned over the possible appointment of a new FBI director and new agency heads who would "have a higher degree of loyalty to the new President," and that he asked why "the U.S. government was not addressing his election reporting."

ON OR ABOUT SEPT. 23  **Steele briefs "reporters"** from The New York Times, The Washington Post, Yahoo News, The New Yorker, and CNN" at Fusion GPS's instruction while in New York.

ON OR ABOUT SEPT. 23  **Steele meets with State Department employee Jonathan Winer**, with whom he shares his reporting. Like Simpson, Winer would decline to be interviewed by the IG.

SEPT. 24  **Nellie Ohr leaves Fusion GPS** after conducting research on Trump and his family.

END OF SEPTEMBER  **Nellie Ohr provides Bruce Ohr with her Fusion GPS research**, who in turn provides it to the FBI.

SEPT. 25  **Director Comey:** writing to request the FBI to Russia in July 2016 – and in regard, I wanted to prov

Carter Page sends a letter to FBI Director Comey and denies the allegations contained in the Yahoo News article. He also volunteers to discuss any questions the FBI might have.

TIMELINE OF FISA ABUSE

SPECIAL COUNSEL JOHN DURHAM'S INVESTIGATION INTO THE ORIGINS OF THE FBI'S TRUMP-RUSSIA INVESTIGATION

SEPT. 26  **Carter Page leaves the Trump campaign.**

SEPT. 26  **Carter Page gives a media interview** and again denies the allegations contained in the Yahoo News article.

SEPT. 26 **National Security Division (NSD) head John Carlin** files the government's proposed 2016 Section 702 certifications, which are submitted to the FISA court. Carlin knows the general status of the compliance review by Rogers. The NSD is part of the review. In the NSD's 2016 certification, Carlin fails to disclose a critical Jan. 7, 2016, report by the NSA inspector general and associated FISA abuse. Carlin also fails to disclose Rogers's ongoing Section 702-compliance review.

SEPT. 27  **Carlin announces his resignation** as head of the NSD. His resignation will become effective on Oct. 15, 2016.

SEPT. 27  **Pientka requests that Gaeta participate in a video conference call** with the Crossfire Hurricane team to set up a meeting with Steele.

SEPT. 28  **Comey refuses to answer whether the FBI is investigating possible connections** between members of the Trump campaign and Russia, during an oversight hearing of the FBI's operations.

SEPT. 28  **The Office of Intelligence attorney emails Somma** asking about Carter Page's claim that he had provided information to the CIA. Somma tells the OI that it was "years ago" and "outside scope." Based largely on this, the information wouldn't be included in the Page FISA.

SEPT. 30  **In an email, the Office of Intelligence attorney asks Somma** why Steele's information was reliable if it relied on second and third-hand sources. The OI attorney would later be briefed by the Crossfire Hurricane team on the sub-sources and would be ultimately satisfied. However, in early 2017, the primary sub-source would dispute some of Steele's claims.

SEPT. 30  **Pientka's notes from a meeting on this date** indicate the FBI was aware of Steele's contact with reporters.

On the same day, Pientka is forwarded an email that indicates senior State Department staff, including Assistant Secretary Victoria Nuland, are aware that the FBI will have a meeting with Steele in Rome in October.

SEPT. 30  **The FBI submits an "expedited FISA application" on Page** that "seeks to have the FISC waive the requirement in its Rules of Procedure that the government submit a proposed application no later than 7 days before it seeks to have the matter considered by the FISC."

EARLY FALL  **Steele and Christopher Burrows, a partner at Steele's firm Orbis, meet with former MI6 Director Sir Richard Dearlove** at the Garrick Club. Dearlove advises Steele and Burrows to "work discreetly with a top British government official to pass along information to the FBI," according to a Feb. 6, 2018, article in The Washington Post.

EARLY OCTOBER  **Three days prior to meeting with members of the Crossfire Hurricane team in Rome**, Steele tells Gaeta that Jonathan Winer at the State Department is aware of this pending meeting.

EARLY OCTOBER **Members of the Crossfire Hurricane team meet with Steele and Gaeta in Rome.** Steele informs the FBI that he also has provided information to the State Department. The FBI offers to pay Steele \$15,000 for this trip, but would later decline to pay this amount after learning that Steele had disclosed information to Mother Jones reporter Corn. Case Agent 2 provides Steele with an overview of the FBI's investigation and likely discloses classified information at the meeting. Steele would inform Simpson of the content of this information.

EARLY OCTOBER **A footnote, unredacted on April 15, 2020**, notes that a document detailing the early October meeting with Steele noted that "Person 1 had historical contact with persons and entities suspected of being linked to RIS [Russian intelligence services]" and that Person 1 was "rumored to be a former KGB/SVR officer." The document was circulated among Crossfire Hurricane members and supervisors.

OCTOBER  **Steele has a second meeting** with attorney Mar Elias from Perkins Coie. This would be at least the third time that Steele meets with senior Perkins Coie lawyer.

OCTOBER **Steele's Primary Sub-source is informed that a secret meeting** between Page and Rosneft chief Sechin had actually taken place. This was well after Steele had made the assertion in his July 2016 report 94, which was based solely on the Primary Sub-source's awareness of a rumor that a meeting was going to take place.

OCT. 4  **A follow-up FISA hearing on the 2016 Section 702 Certification is held.** Carlin fails again to disclose to the FISA court a critical Jan. 7, 2016, report by the NSA IG and associated FISA abuse. Carlin also fails to disclose Rogers's ongoing Section 702-compliance review. This would later be noted by the FISA court.

OCT. 5  **The first draft of the Page FISA application is shared** with the Office of Intelligence.

OCT. 6  **The first draft of the Page FISA application is shared with Evans** of the NSD and Baker and Anderson of the FBI for review. According to the IG report, Anderson received the draft at this time but may not have read it until two weeks later.

OCT. 7  **Homeland Security and the Office of the Director of National Intelligence (DNI)** officially accuse the Russian government of hacking the DNC "to interfere with the U.S. election process."

OCT. 11  **Steele meets with State Department employees Winer and Kathleen Kavalec.** Kavalec's boss, Nuland, is aware of the meeting but ultimately does not attend. Steele would tell the IG that he was delayed at the airport and that Nuland left before he arrived.

ON OR ABOUT OCT. 11  **Winer provides Steele with a separate dossier** that he had received from longtime Clinton confidant Sidney Blumenthal. This "second dossier" had been compiled by another longtime Clinton operative, former journalist Cody Shearer, and echoed claims made in the Steele dossier. Steele would then share this second dossier with the FBI on Oct. 19.

OCT. 11  **After several previous requests** for information, Evans is informed for the first time that Steele had been "paid to develop political opposition research."

OCT. 11  **An initial draft of the Page FISA is created that indicates Steele had leaked information to Yahoo News**, stating that the FBI "believes that the 'well-placed Western intelligence source' is Steele." This language would be abruptly changed three days later.

ON OR ABOUT OCT. 12 **The OI attorney receives a written summary** from the supervisory intel analyst of the FBI's early October meeting with Steele "that attributed the information in Report 95 to Person 1 and stated that Steele had described Person 1 as a boaster and embellisher." At this time, Person 1 "was at the time the subject of an open FBI counterintelligence investigation" and "had historical contact with persons and entities suspected of being linked to RIS [Russian Intelligence Services]." This information would not be disclosed to the FISA court or to Evans.

OCT. 12 **McCabe and Comey are briefed regarding Evans's concerns about Steele.** Both are supportive of moving forward despite Evans's concerns. According to a newly unredacted footnote from the IG report, "the desire to have FISA authority in place before Monday, October, 17, was due, at least in part, to the fact that Carter Page was expected to travel to the United Kingdom and South Africa shortly thereafter."

OCT. 12 TO 14 **During a three-day period, the FBI team advises Evans further on Steele**, telling him "that Steele was hired by Glenn Simpson of Fusion GPS, they did not know Simpson's motivations, and they did not know the name of the law firm that retained Fusion GPS or its connections to Hillary Clinton or the Democratic Party because Steele did not believe asking Simpson about his client was appropriate."

MID-OCTOBER  **Steele meets again with the media**, providing information to The New York Times, The Washington Post, and Yahoo News.

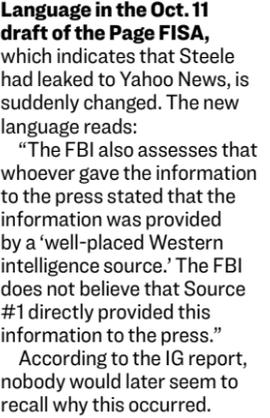
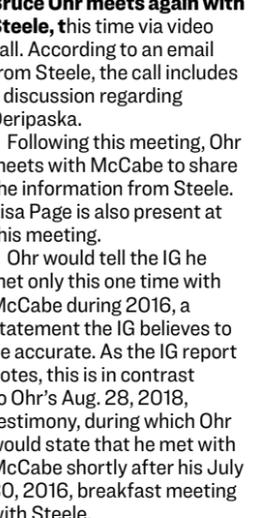
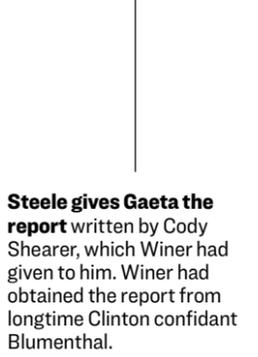
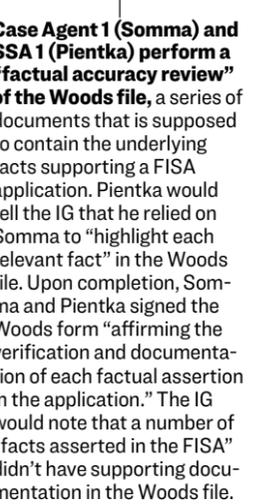
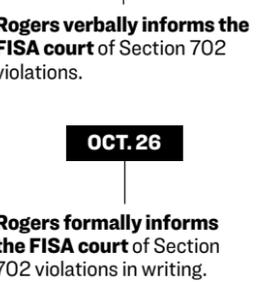
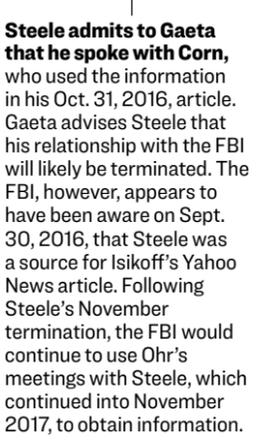
DNI Director Clapper submits a recommendation to the White House that Rogers be removed from the NSA. The request, however, is denied.

OCT. 13  **Kavelec emails an FBI Counterintelligence Division section chief** a document she received from Winer concerning allegations about a linkage between Alfa Bank and the Trump campaign. The section chief forwards the document to Pientka the same day.

OCT. 14  **The Office of the Deputy Attorney General** receives the FBI's initial FISA application on Page.

TIMELINE OF FISA ABUSE

SPECIAL COUNSEL JOHN DURHAM'S INVESTIGATION INTO THE ORIGINS OF THE FBI'S TRUMP-RUSSIA INVESTIGATION

OCT. 14	OCT. 14	OCT. 14	OCT. 14	OCT. 17	OCT. 17	OCT. 17	OCT. 18	OCT. 19	OCT. 19
									
<p>Case Agent 2 sends an email stating that Gaeta believed Steele didn't know the identity of Fusion GPS's client (Perkins Coie), but this information appears outdated. Steele had met with a Perkins Coie attorney, which had retained Fusion GPS—which in turn hired Steele—on behalf of the Clinton campaign on Sept. 23, 2016.</p>	<p>The NSD's principal deputy AAG, Mary McCord, receives the Page FISA for review. McCord, who provided comments on the draft, would tell the IG that "filing the application was a legitimate investigative step even though it may later be criticized unfairly." McCord would replace John Carlin as AAG of the NSD on Oct. 17, 2016.</p>	<p>Language in the Oct. 11 draft of the Page FISA, which indicates that Steele had leaked to Yahoo News, is suddenly changed. The new language reads: "The FBI also assesses that whoever gave the information to the press stated that the information was provided by a 'well-placed Western intelligence source.' The FBI does not believe that Source #1 directly provided this information to the press." According to the IG report, nobody would later seem to recall why this occurred.</p>	<p>Carlin leaves the NSD, six days before the Page FISA is filed with the FISA court.</p>	<p>Carter Page has a meeting with FBI Confidential Human Source 2 (Stefan Halper). Page tells the source that he never met with any sanctioned Russian officials and that he knew nothing of the Wikileaks DNC email leaks. This information, just like prior statements by Page, would be excluded from the FISA application.</p>	<p>McCord replaces Carlin as acting AAG of the NSD.</p>	<p>Instant messages show that Pientka is now aware of Carter Page's denials regarding Steele's claims that Page met with Sechin and Divyekin and that Page denied even knowing Divyekin. This information, however, would be excluded from the FISA application.</p>	<p>Bruce Ohr meets again with Steele, this time via video call. According to an email from Steele, the call includes a discussion regarding Deripaska. Following this meeting, Ohr meets with McCabe to share the information from Steele. Lisa Page is also present at this meeting. Ohr would tell the IG he met only this one time with McCabe during 2016, a statement the IG believes to be accurate. As the IG report notes, this is in contrast to Ohr's Aug. 28, 2018, testimony, during which Ohr would state that he met with McCabe shortly after his July 30, 2016, breakfast meeting with Steele.</p>	<p>The Office of Intelligence finalizes the Page FISA application and sends it to the FBI for review. Strzok tells Evans that the FBI is comfortable with its accuracy. Separately, Evans is notified that DAG Yates has read the FISA application. The Office of Intelligence would file the application with the FISA court the following day.</p>	<p>Steele gives Gaeta the report written by Cody Shearer, which Winer had given to him. Winer had obtained the report from longtime Clinton confidant Blumenthal.</p>
OCT. 20	OCT. 20	OCT. 20	OCT. 20	OCT. 20	OCT. 21	OCT. 21	ON OR ABOUT OCT. 21	OCT. 24	NOV. 1
									
<p>A Steele memo erroneously states that Michael Cohen met with Kremlin officials in the EU in August 2016. (A later memo by Steele would claim the meeting occurred in Prague.)</p>	<p>The Office of Intelligence submits the "read copy" of the Page FISA application to the FISA court and receives feedback from the FISC legal adviser, who has four relatively minor questions. According to the IG report, "the FISC legal adviser raised no other issues and did not further question the application's reliance on Steele's reporting."</p>	<p>Case Agent 1 (Somma) and SSA 1 (Pientka) perform a "factual accuracy review" of the Woods file, a series of documents that is supposed to contain the underlying facts supporting a FISA application. Pientka would tell the IG that he relied on Somma to "highlight each relevant fact" in the Woods file. Upon completion, Somma and Pientka signed the Woods form "affirming the verification and documentation of each factual assertion in the application." The IG would note that a number of "facts asserted in the FISA" didn't have supporting documentation in the Woods file.</p>	<p>The FISA application is passed to the headquarters program manager, a supervisory special agent in the Counterintelligence Division's Counterespionage Section. The application is then passed to the OGC attorney and Anderson, who reviews the application package on behalf of the FBI's Office of General Counsel.</p>	<p>Rogers is briefed by the NSA compliance officer on findings from the NSA 702-compliance audit. The audit had uncovered a large number of issues, including numerous "about query" violations. "About query" searches occur when the target is neither the sender nor the recipient of the collected communication—but the target's tasked selector, such as an email address, is being passed between two other communicants.</p>	<p>DAG Yates signs the FISA application package. Yates would tell the IG that she didn't recall the discussion that took place during the oral briefing on the FISA.</p>	<p>The NSD submits the finalized Page FISA application, asserting that there was probable cause to believe that Carter Page was an agent of the Russian government, to the FISA court, which issues a FISA warrant to spy on Page the same day. The order is signed by the then-chief judge of the FISA court, Rosemary Collyer. "According to NSD, the Chief Judge signed the final orders as proposed by the government in their entirety, without holding a hearing." Three FISA renewals would occur on Jan. 12, April 7, and June 29, 2017.</p>	<p>NSA Director Rogers shuts down all "about query" activity, reports this activity to the DOJ, and prepares to go before the FISA court.</p>	<p>Rogers verbally informs the FISA court of Section 702 violations.</p>	<p>Steele admits to Gaeta that he spoke with Corn, who used the information in his Oct. 31, 2016, article. Gaeta advises Steele that his relationship with the FBI will likely be terminated. The FBI, however, appears to have been aware on Sept. 30, 2016, that Steele was a source for Isikoff's Yahoo News article. Following Steele's November termination, the FBI would continue to use Ohr's meetings with Steele, which continued into November 2017, to obtain information.</p>
OCT. 26	OCT. 26								
<p>Rogers formally informs the FISA court of Section 702 violations in writing.</p>	<p>The FISA court refuses to formalize the 2016 Section 702 certifications. A complete overhaul of Section 702 processes ensues.</p>								

ALEX EDELMAN/AFP VIA GETTY IMAGES



THE U.S. CAPITOL IN Washington, early on Dec. 2, 2018.



THEN-PRESIDENT-ELECT DONALD TRUMP waits in an elevator at Trump Tower, in New York on Jan. 16, 2017.

DREW ANGER/GETTY IMAGES

FBI PANICS AFTER TWEET

DOJ notes reveal FBI frantically tried to cover up after Trump wrote he knew he was being spied on

JEFF CARLSON & HANS MAHNCKE
News analysis

Notes taken by high-level Department of Justice (DOJ) officials during a March 6, 2017, meeting with FBI leadership expose some of the lengths the FBI went to, to cover up its spying on the 2016 campaign of President Donald Trump.

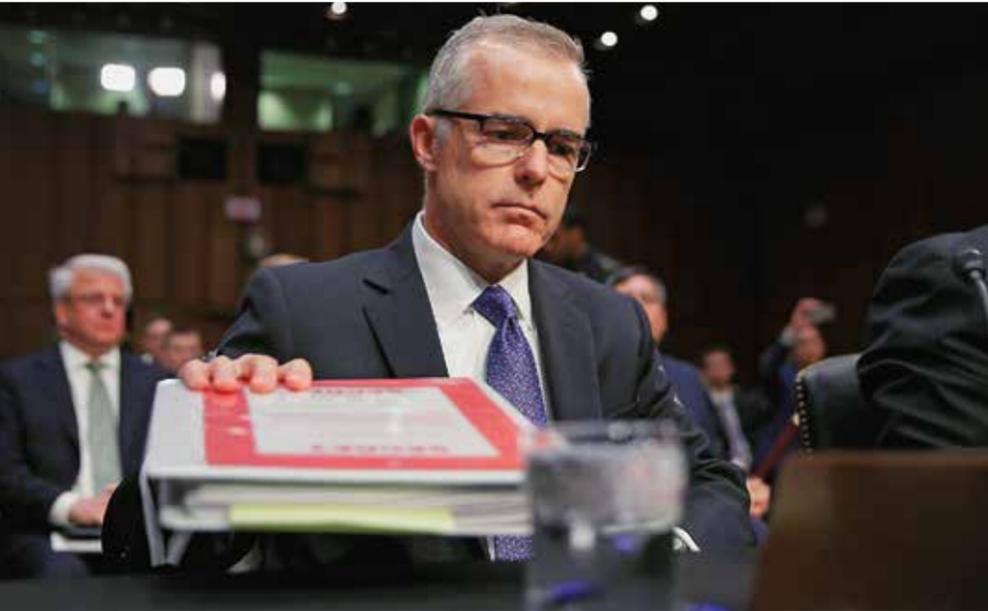
The notes were released on May 8 by lawyers representing former Hillary Clinton campaign lawyer Michael Sussmann as part of an effort to clear him on charges of having lied to the FBI. The notes, in reality, appear to do little to exonerate Sussmann but do provide quite a bit of information on the FBI. Sussmann recently was found

not guilty by a D.C. federal jury.

The meeting at which the notes were taken took place just two days after Trump's March 4, 2017, tweet in which he accused former President Barack Obama of having wiretapped Trump Tower. Trump's tweet panicked FBI leadership, who were unsure exactly how much Trump knew about their efforts to tie him up with Russia collusion allegations.

What the notes reveal is that in response to the tweet, they tried to cover their tracks.

By March 2017, FBI leadership already knew with near-certainty that the Trump-Russia collusion claims were a hoax. They knew that Clinton's campaign had a plan to vilify Trump by portraying him as a puppet of →



THEN-ACTING FBI DIRECTOR Andrew McCabe on Capitol Hill in Washington on May 11, 2017.

Putin. The FBI also knew that not a single claim in the so-called Steele dossier—which was the primary source of allegations of Trump–Russia collusion—had checked out.

In fact, at that point, the FBI had already spent three days interviewing Steele’s primary source, Igor Danchenko, who disavowed pretty much every claim in Steele’s dossier. The FBI also knew that the Alfa Bank story, which claimed that a Trump server was communicating with a Russian bank—information that had been brought to them by Sussmann—was bogus.

In short, the FBI knew that all the claims of Trump–Russia collusion had proven to be fake.

But things took a sudden and dramatic turn on March 4, 2017, when Trump wrote on Twitter that he knew that Obama had wiretapped Trump Tower, a very public claim of spying that set off alarm bells with both FBI and DOJ leadership. Trump’s tweet so alarmed the DOJ and FBI officials that the topic

dominated a meeting two days later that included FBI Deputy Director Andrew McCabe and the acting U.S. attorney general, Dana Boente.

The problem for the FBI was this: They didn’t know how much Trump actually knew about their actions. Just a day earlier, on March 3, 2017, radio host Mark Levin had reported that the Obama administration had obtained Foreign Intelligence Surveillance Act (FISA) warrants that involved Trump and several of his campaign advisers. Levin also reported that Trump’s off-the-cuff joke in July 2016—“Russia, if you’re listening, I hope you’re able to find the 30,000 emails that are missing”—had become the basis for the Russia collusion accusations.

But as we now know, the FISA warrants weren’t the only thing the FBI leadership was involved with. The FBI was actively spying on the Trump campaign and the incoming Trump administration’s transition communications, a fact that was also revealed in the new

notes. The FBI had not only spied on Trump campaign adviser Carter Page, but also on another aide, George Papadopoulos, going so far as to lure him to London, where they tried to set him up in a clumsy but elaborate sting.

There were also the new false accusations brought forward by Sussmann that Trump was tied to the use of a Russian Yota phone. And there was the matter of tech executive Rodney Joffe—a man with deep ties to the FBI—who had been using his access to non-public data to spy on Trump both at Trump Tower and at the White House.

In all likelihood, Trump probably only knew what Levin had reported the day before—that there was a FISA warrant on a campaign aide—but the FBI leadership didn’t know how much Trump knew and had to assume that he knew a lot more.

The discussion at the March 6 meeting was dominated by Trump’s tweet, with the FBI’s McCabe kicking things off by stating that the bureau was trying to determine what was behind Trump’s tweets.

Notes at the meeting were taken by three DOJ officials—Tashina Gauhar, Mary McCord, and Scott Schools. The notes were released because one of the notes appears to show that McCabe stated that Sussmann had represented clients when he took the Alfa Bank allegations to the FBI. Sussmann initially told the FBI that he didn’t represent anyone and was merely acting as a good Samaritan.

This claim by Sussmann’s lawyers, however, is in essence a side-show, as the notes are double-hearsay evidence written six months after Sussmann told the FBI the exact opposite.

The real bombshells are in the many pages of notes Sussmann doesn’t cite; those notes reveal the true extent of the FBI’s panic over Trump’s tweet.

The first reaction from FBI leadership appears to have been to tell the acting attorney general, Boente, a sequence of lies about their investigation.

The notes reveal that the FBI repeatedly referred to Steele’s dossier as “Crown reporting,” suggesting the dossier represented some sort of official UK government intelligence when it was mostly information made up by Steele and Danchenko—a fact the FBI already knew at the time.

The new notes also revealed that FBI agent Peter Strzok lied to his DOJ superiors about what triggered Alexander Downer, the Australian ambassador in London, to come forward to the FBI with information regarding his meeting with Papadopolous. It has always been the FBI’s official story that it was Downer who initiated the official Trump–Russia investigation, but that story is now undermined in the new notes, in which Strzok claims that it was Trump’s joke about Russia finding Clinton’s emails that had triggered Downer.

In truth, Downer had come forward before Trump had even made the joke.

The FBI also lied to the DOJ about the Carter Page FISA warrant, which they claimed was “fruitful” when it actually had revealed nothing nefarious—something the FBI was aware of by this time.

The FBI appears to have also tried to misrepresent and elevate the Alfa Bank allegations by claiming that the Trump Organization had sent a solicitation to Alfa Bank. Again, this was completely false. The FBI knew within days of Sussmann giving them the Alfa Bank data that it was useless

The FBI knew within days of Sussmann giving them the Alfa Bank data that it was useless and probably fake.



TRUMP TOWER in New York on March 12, 2016.

and probably fake.

By Sept. 23, 2016, the FBI’s IT team had disproven the Alfa Bank allegations. But rather than admit that, the FBI actually tried to breathe new life into the Alfa allegations through its misrepresentations.

All of these exculpatory facts were not just hidden from interim DOJ officials at the March 6, 2017, meeting, but FBI leadership also twisted those facts to make them appear like there was a strong case against Trump when they knew there was no case at all.

But the March 6 meeting was only the beginning. Knowing that Trump

might now be on to them, FBI leadership immediately increased their efforts to cover their own tracks by intensifying the focus on Trump.

On March 5, 2017, the day following Trump’s tweet, former Director of National Intelligence James Clapper went on CNN and claimed that there was no “wiretap activity mounted against the President-elect at the time, or as a candidate, or against his campaign.”

While Clapper took a defensive stance, the FBI soon went on offense and the bureau’s efforts began almost immediately.

On March 15, 2017, FBI Director James Comey suddenly decided to brief the leaders of the Senate Judiciary Committee, Sens. Chuck Grassley (R-Iowa) and Dianne Feinstein (D-Calif.), about the Carter Page FISA application, which FBI leadership →

AN FBI MEETING

SOON AFTER TRUMP TWEETED ABOUT BEING SPIED ON, FBI AGENTS MISLED TOP DOJ OFFICIALS



MICHAEL HORN/OLYMPIA PHOTOGRAPHY FOR THE NEW YORK TIMES
SENATE JUDICIARY COMMITTEE

FRONT: BREWSTER/GETTY IMAGES; MANDY/GETTY IMAGES
FORMER FBI DIRECTOR JAMES COMEY (L) prepares to testify before the Senate Intelligence Committee in the Hart Senate Office Building on Capitol Hill in Washington on June 8, 2017.

believed Trump had found out about. Comey would provide them with copies of the actual FISA warrant two days later. At this same time, Comey also began his briefing of the congressional Gang of Eight—the eight individ-

uals within the U.S. Congress who are briefed on classified intelligence matters by the executive branch—regarding the Page FISA.

On March 20, 2017, Clapper suddenly changed his narrative, shifting from

denying the existence of any spying to denying any abuse of the FISA process.

Also on March 20, Comey publicly testified to Congress, revealing for the first time the existence of the FBI's Crossfire Hurricane investigation into

FRONT: BREWSTER/GETTY IMAGES; MANDY/GETTY IMAGES

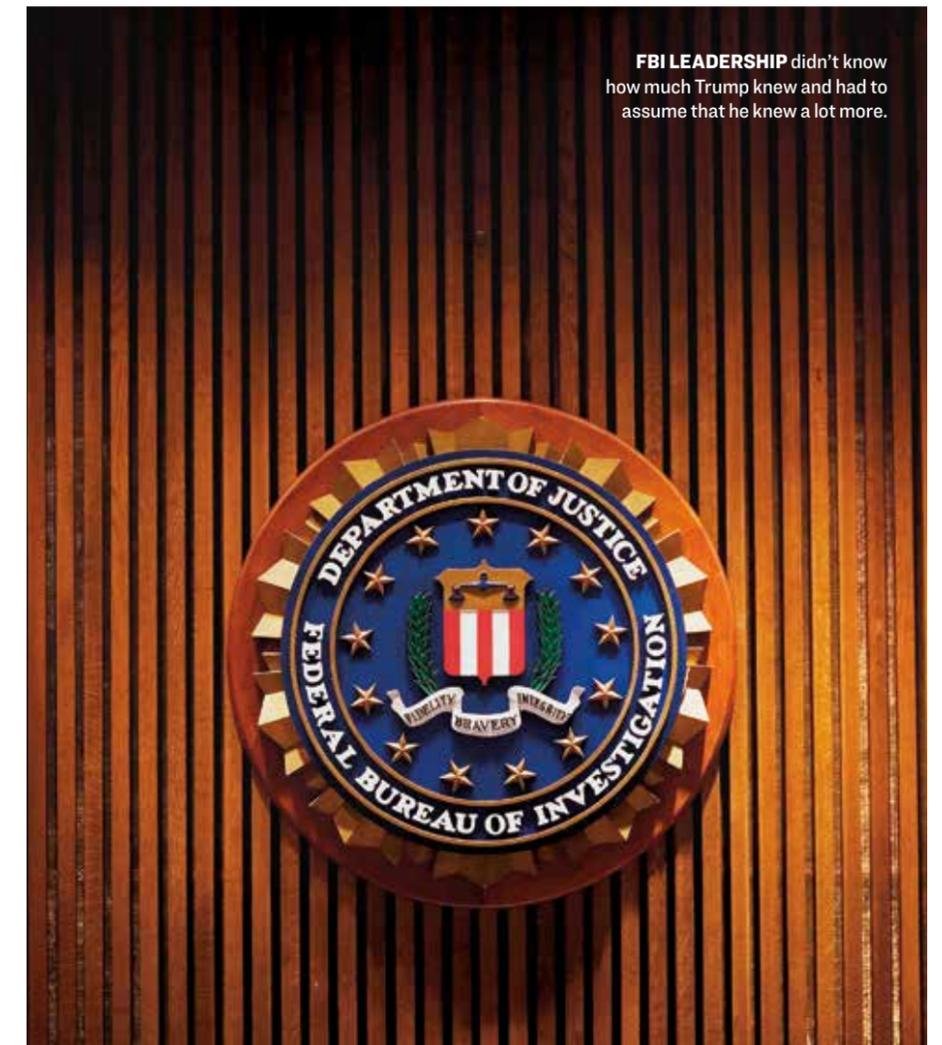
Trump and his campaign.

During his testimony, Comey inadvertently acknowledged that he had also intentionally withheld the required congressional Gang of Eight notification of the FBI's counterintelli-

AN FBI MEETING

SOON AFTER TRUMP TWEETED ABOUT BEING SPIED ON, FBI AGENTS MISLED TOP DOJ OFFICIALS

What the notes reveal is that in response to President Donald Trump's tweet, FBI officials tried to cover their tracks.



FBI LEADERSHIP didn't know how much Trump knew and had to assume that he knew a lot more.

gence investigation. Under questioning, Comey stated that he did so because of "the sensitivity of the matter."

The combined efforts of Obama intelligence officials and the FBI would soon culminate in the appointment of

special counsel Robert Mueller, which essentially tied up Trump for the next three years. And in doing so, they ensured that little or no progress was made in bringing the actual perpetrators of the Russia hoax to justice. ■



RUSSIAN ANALYST Igor Danchenko arrives at the Albert V. Bryan U.S. Courthouse before being arraigned, in Alexandria, Va., on Nov. 10, 2021.

CHIP SOMODEVILLA/BETTINIMAGES

PRIMARY SOURCE BEHIND STEELE DOSSIER

Durham indictment of Igor Danchenko reveals role in Steele dossier

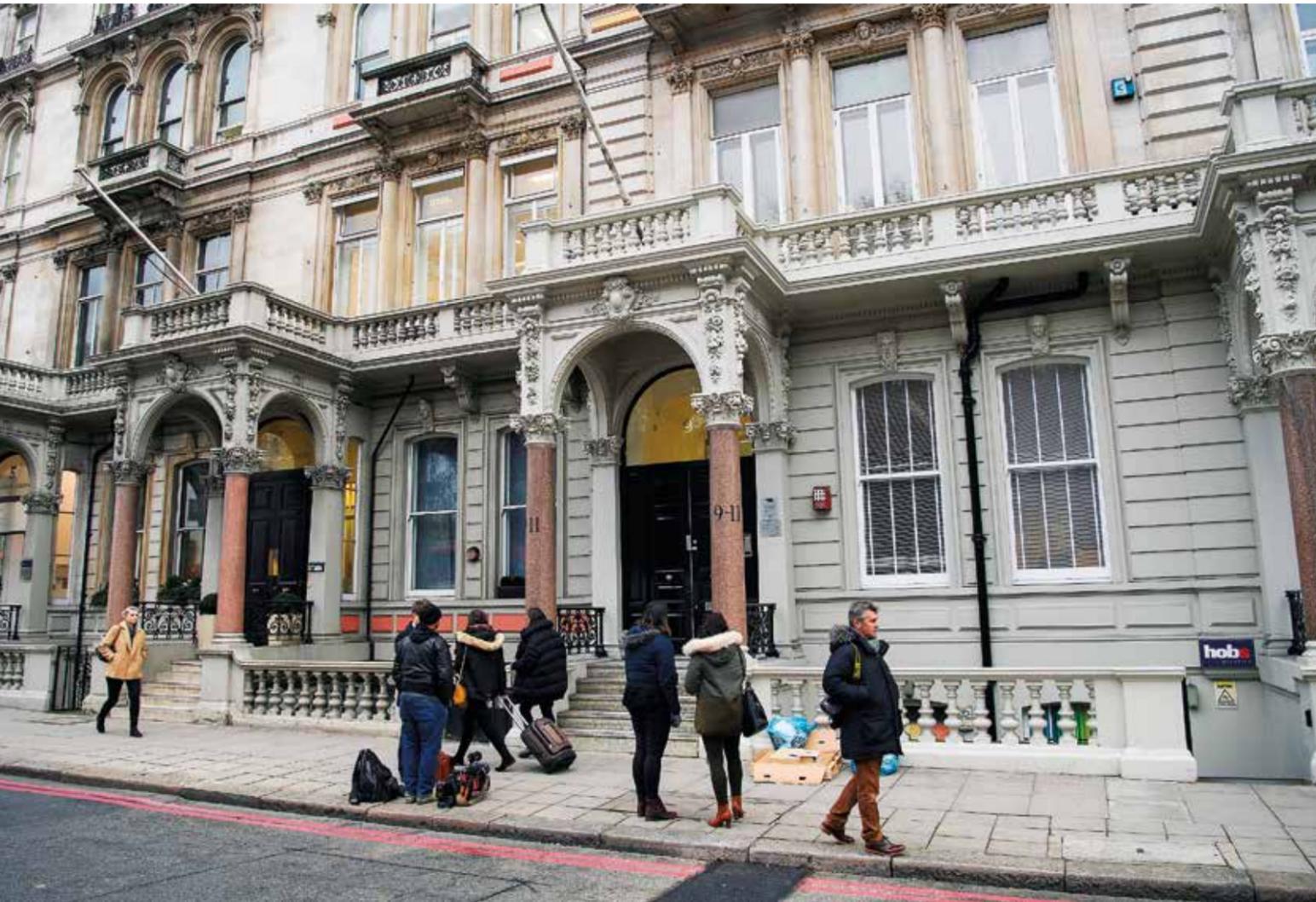
JEFF CARLSON & HANS MAHNCKE
News analysis

Igor Danchenko, the primary source for Christopher Steele's dossier, has been indicted on a five-count charge of making false statements to the FBI in the Eastern District of Virginia. The indictment and arrest of Danchenko was confirmed in a statement issued by the office of special counsel John Durham, who noted that his "investigation is ongoing."

Danchenko is the third person to be charged as part of Durham's ongoing probe into the origins of the FBI's investigation into alleged ties between the Trump campaign and the Kremlin. Former FBI lawyer Kevin Clinesmith

pleaded guilty to doctoring a document in relation to the FBI obtaining a Foreign Intelligence Surveillance Act (FISA) surveillance warrant against Trump campaign adviser Carter Page. Former Hillary Clinton campaign lawyer Michael Sussmann was found not guilty by a federal jury in Washington on a charge of lying to the FBI over allegedly attempting to induce the bureau to investigate a false Russia conspiracy theory.

Danchenko's indictment appears to be the most significant development in the Durham investigation to date. As Steele's "primary sub-source," Danchenko was ostensibly responsible for most of the content within Steele's dossier, which was later used to obtain the FISA warrant on Page. Steele's →



JOURNALISTS GATHER outside the headquarters of Orbis Business Intelligence, the company run by former intelligence officer Christopher Steele, in London on Jan. 12, 2017.

dossier was commissioned by opposition research firm Fusion GPS on behalf of the Clinton campaign.

A summary of the dossier was also attached to the January 2017 Intelligence Community Assessment that blamed Russia for interfering in the 2016 election to help then-candidate Donald Trump. That assessment played a key role in efforts to investigate Trump, culminating in the appointment of special counsel Robert Mueller.

Danchenko is charged with lying to the FBI about two specific facts.

Durham Reveals Democratic Party Operative as Dossier Source

Count One of Durham's indictment relates to denials by Danchenko to FBI agents that he had spoken with "PR-Executive-1," now identified as Charles Dolan, about any material contained in Steele's dossier. As Durham's indictment lays out, Dolan, described as a

LEON NEAL/GETTY IMAGES

"long-time participant in Democrat party politics," was actually Danchenko's source for many of the allegations within the dossier.

Dolan's identity as PR Executive-1 has been confirmed through a brief statement from his lawyer, who also noted that Dolan was a "witness" in Durham's ongoing case.

Danchenko, who worked at the left-leaning think tank Brookings Institute from 2005 to 2010, was introduced to Dolan in February 2016 by another Brookings employee, Fiona Hill, who had previously introduced Danchenko to Steele in late 2010. Following this introduction, Danchenko began working for Steele in 2011. Hill would later become known to the public in 2019 during her testimony at the impeachment hearings of President Trump.

Durham notes in the indictment that Dolan's role was "highly relevant and material" to the FBI's review of Steele's allegations because Dolan "maintained pre-existing and ongoing relationships with numerous persons" named in Steele's dossier.

Additionally, as Durham's indictment notes, "allegations sourced to [Dolan] by Danchenko formed the basis of a [dossier] report that, in turn, underpinned" the FISA applications made by the FBI on Trump campaign adviser Page.

Durham repeatedly notes that if Danchenko hadn't lied to the FBI regarding Dolan's role, the FBI might have taken further investigative steps, including interviewing Dolan. While this assertion may be accurate, it also appears that the FBI repeatedly failed to investigate specific details or events that could have easily been verified or disproven.

Dolan and the Clintons have a lengthy history that dates back to the 1990s. In 2008, Dolan served as an adviser to

then-Sen. Clinton's presidential campaign and he "actively campaigned" on behalf of Clinton's 2016 presidential campaign.

Clinton Adviser's Role in Dossier, Russian Connections

From 2006 to 2014, Dolan handled public relations for the Russian government and a state-owned energy firm. According to Durham, Dolan maintained relationships with the then-Russian ambassador to the United States and the head of the Russian Embassy's Economic Section in Washington. As Durham notes, both men would later appear by name in Steele's dossier.

Durham's indictment details Dolan's communications with a number of high-level Russian officials that took place at the same time that Clinton was accusing Trump of communicating with the Kremlin. Dolan's ongoing work for Russia makes it likely that he should have been required to register with the Department of Justice under the Foreign Agents Registration Act, but Durham's indictment doesn't address that matter.

Information from Dolan was featured in an Aug. 22, 2016, dossier report from Steele that ostensibly described the reasons behind the departure of Paul Manafort from the Trump campaign. But while Dolan told Danchenko that he had received this information from a "GOP friend," Dolan later acknowledged to the FBI that he had "fabricated" the meeting and instead relayed information he had obtained from

public reporting.

It also appears that Dolan may have played a role, unknowingly or otherwise, in some of the more salacious aspects of Steele's dossier. In what was described as a "June 2016 Planning Trip," Dolan stayed at a Moscow hotel. As Durham's indictment notes, Dolan was given a "tour" of the hotel's presidential suite, and met with the manager and other staff of the hotel. During the tour, it was mentioned to Dolan that Trump had stayed in the presidential suite, but Durham notes that Dolan claims there was no mention of "any sexual or salacious activity."

Allegations of a "pee tape" made at the hotel's presidential suite during Trump's stay were contained in Steele's June 20, 2016, report. Steele's dossier falsely attributed the story to American businessman Sergei Millian, but Danchenko later claimed that he had characterized the alleged activity to Steele as "rumor and speculation." Danchenko, who initially told the FBI he was at the hotel in June with Dolan, later admitted that he hadn't visited the hotel until October 2016.

Clinton Adviser's Involvement in Dossier Appears Extensive

Durham also includes an email from Dolan that appears to reference former UK Ambassador to Russia Sir Andrew Wood. In an email discussing Steele, Dolan wrote that he was "also in conversation with former British Ambassador who knows [Steele]."

Wood famously brought the Steele →

Danchenko was introduced to Steele by a fellow Brookings employee, Fiona Hill, in late 2010. Following this introduction, Danchenko began working for Steele in 2011.



IT APPEARS that the FBI repeatedly failed to investigate specific details or events that could have easily been verified or disproven.

dossier to the attention of then-Sen. John McCain (R-Ariz.) at a meeting in November 2016 during a private meeting in Nova Scotia, Canada. McCain sent an associate, David Kramer, to London to meet with Steele on Nov. 28, 2016. Kramer gave a copy of Steele's dossier to McCain who, in turn, provided a copy of the dossier to then-FBI Director James Comey on Dec. 9, 2016.

All the charges against Danchenko center around statements that he made in eastern Virginia—likely at his home. Durham might be strategically inclined to focus on these particular charges as they allow him to file outside of the Democratic-leaning D.C. courts. The geographic focus of the indictment may also explain why some of the material claims made in the dossier were either not discussed or were mentioned only in passing in the indictment.

Durham's indictment notes a number

of other meetings, conversations, and emails between Dolan and Danchenko that show that Dolan passed along other information also used in Steele's dossier.

Durham's indictment also reveals that Dolan may have provided some assistance to Danchenko. Durham notes that on June 10, 2016, Dolan emailed an acquaintance regarding efforts to assist Danchenko in obtaining a U.S. visa, stating that Danchenko "owes me as his Visa is being held up and I am having a word with the Ambassador."

Additionally, Dolan appeared to have promised another alleged dossier source, Olga Galkina, a position in the Clinton State Department if Clinton was to win the 2016 presidential election. Galkina is cited in Durham's indictment as telling associates that Dolan would "take me to the State Department if Hillary wins."

The implication behind Galkina's

claim is that Dolan was promised a role in Clinton's administration himself.

Durham also describes how Danchenko recommended Dolan and his public relations firm to Galkina, who at the time was serving as Alexej Gubarev's personal secretary. Gubarev, a Russian internet entrepreneur, ultimately hired Dolan as his PR adviser. Strangely, Gubarev would end up being falsely accused in Steele's dossier of working with Russian hackers to infiltrate the Democratic National Committee's computer systems. When Gubarev later sued Fusion GPS for defamation, Dolan served as Gubarev's spokesman.

The Fictitious Sergei Millian Phone Call

The remaining four charges laid out in Durham's indictment of Danchenko relate to Sergei Millian, a U.S. national of Belarusian descent. Many of the details behind these charges were already known to those who had been investigating the Russia collusion stories.

Durham's indictment alleges that Danchenko lied to the FBI on four separate occasions, each time claiming that he'd had a phone conversation in the summer of 2016 with someone he believed to have been Millian. For his part, Millian has always stated that he never met Danchenko, in person or by phone. Millian's assertions are emphatically proven in Durham's indictment of Danchenko where it is repeatedly stated that "Danchenko never spoke to Chamber President-1 [Millian]."

Millian differed from all of Steele's other purported sources in that he had no actual contact with anyone within Steele's orbit—including Danchenko. Steele has demonstrated a preference for his targets to be physically present with his operatives. And indeed, Steele told the FBI that he believed Danchenko had met with Millian on "two or

Dolan acknowledged to the FBI that he had 'fabricated' the information source of the reasons behind the departure of Paul Manafort from the Trump campaign.

three separate occasions."

The allegations attributed to Millian are crucial to the Steele dossier. Steele used Millian as the supposed source for his allegations of a "well-developed conspiracy of cooperation" between Trump and Russian President Vladimir Putin, which was foundational to the Trump-Russia collusion narrative. Steele further attributed Millian as the source for allegations regarding secret communications between Russia's Alfa Bank and Trump; also ascribed to Millian were the Wikileaks email dump and the salacious "pee tape" story—all from a person whom neither Steele nor Danchenko had ever met with or spoken to.

Danchenko admitted to the FBI that his first outreach to Millian was on July 22, 2016, via email, which is cited in Durham's indictment. But by this

point, Steele, apparently believing that Danchenko had actually met Millian, had already published two reports in his dossier that attributed specific allegations to Millian. As Danchenko admitted to the FBI in a November 2017 follow-up interview, Steele erroneously believed that there had been in-person meetings between Danchenko and Millian, a belief that Danchenko didn't correct.

It's unlikely that Steele would have placed so much emphasis on Millian as a major source without a plausible scenario for how these stories were obtained.

FBI Pursued Trump Probe Despite Danchenko Contradictions

Although Steele named Millian as one of his sources when he spoke to the media, State Department officials, and

the FBI, he was more guarded when it came to his other alleged sources. Their identities were only uncovered last year after internet sleuths extrapolated information from Danchenko's interview notes with the FBI. These individuals, friends, and acquaintances of Danchenko didn't have any pertinent information about Putin's thoughts or intentions, nor were they in a position to obtain any such information.

All six of these alleged sources have recently come forward and signed affidavits denying having ever told Steele or Danchenko anything in relation to the dossier.

While some commentators, including ex-FBI agent Peter Strzok, are now suggesting that the FBI was duped by Danchenko, that's categorically not the case. Durham's revelations with respect to Millian were known to the FBI by late January 2017, as they knew that Steele had attributed information in early dossier reports to Millian. At the same time, the FBI also knew that Danchenko hadn't yet reached out to Millian at that point.

Similarly, Millian's alleged phone call could have been easily investigated and shown to have been fabricated by Danchenko.

However, instead of taking these simple investigative steps, the FBI forged ahead with its investigation, a process that tied up the Trump administration for the next three years.

One important question remains. When Danchenko was interviewed by the FBI in January 2017, he was given what is known as a 'queen for a day' immunity deal, which gave him the opportunity to walk away from the entire dossier affair, provided he told the FBI the truth.

Danchenko had every incentive to tell the FBI the truth, but for reasons that remain unknown, he chose not to. ■



FBI AGENT Peter Strzok during testimony before Congress on July 12, 2018.

FROM L: VUIR/GRIPAS/AFP/GETTY IMAGES; SAMIRA BOUKAOU/THE EPOCH TIMES



SPECIAL COUNSEL
John Durham arrives at
federal court in Washington
on May 18, 2022.

TENG CHEN/THE EPOCH TIMES

A CONSPIRACY

FORMER FBI AGENT BELIEVES
DURHAM HAS ENOUGH EVIDENCE
TO PURSUE CONSPIRACY CHARGES

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PURSUING CONSPIRACY CHARGES?

Durham may decide to prosecute players for criminal conspiracy, according to former FBI agent

PETR SVAB

Special counsel John Durham may have sufficient grounds to seek charges against multiple parties for conspiracy to lie to the government, although he may refrain from doing so, according to a former FBI special agent and federal prosecutor.

Durham is already saying there was a “joint venture” between various parties, including agents of the 2016 presidential campaign of former Secretary of State Hillary Clinton, the lawyers retained by the campaign, and their associates and subcontractors. The goal of the venture was to collect dirt in 2016 on then-presidential candidate Donald Trump in order to help Clinton. That isn’t illegal.

Durham also has outlined evidence that suggests he may in the future charge that a part of the venture was to peddle the dirt to the U.S. government with the understanding that lies—at least lies by omission—would be told during this process. That could be a criminal conspiracy. Yet whether such charges are forthcoming doesn’t depend only on whether a law was technically broken, according to Marc Ruskin, a former FBI special agent and assistant district attorney.

“I think that a strong argument can be made that there would be sufficient justification for a conspiracy charge and that it shouldn’t be a surprise if one is brought. But also, there are a lot of ... strategic factors that go into a determination by a prosecutor as to what ➔

charges to make,” he told The Epoch Times.

If Durham, for example, intends on pursuing more serious charges or expects to have a more solid footing on a different charge, he may avoid bringing lesser or weaker charges that “may prove to be a distraction,” Ruskin said.

Durham has so far brought three indictments, one of which resulted in a guilty plea and another in acquittal. He hasn’t charged conspiracy, which is a federal felony with penalties depending on the seriousness of the underlying crime.

Criminal conspiracy is legally defined rather differently than how people may understand the term colloquially, Ruskin noted. The government only needs sufficient circumstantial evidence that at least two people had an understanding that they would do something that violates federal law. But they don’t actually have to follow all the way through on breaking the law. At a minimum, only one of them needs to perform an “overt act” in furtherance of the plan.

Meanwhile, the crime of lying to the government could also be interpreted broadly. One needs to tell a government official performing his official duties something that’s not true and that’s “material,” meaning it would have a natural tendency to affect how the government performs its duties, even if the lie doesn’t result in such a change. The lie doesn’t necessarily need to be explicit. It could be a lie by omission, Ruskin explained, although he acknowledged such an interpretation would depend on the specific facts of a case.

That suggests Durham wouldn’t even need to prove that the Clinton operatives lied. He would need to prove that they had an understanding that they would be providing information in a way that would mislead the government.



MARC RUSKIN, retired FBI special agent and author of “The Pretender,” in New York on Oct. 4, 2019.

There are some clues to this effect already on record.

Durham charged cybersecurity lawyer Michael Sussmann, who in 2016 was working on behalf of the Clinton campaign, with lying about his motivation for bringing information to the FBI.

In September 2016, Sussmann met with the FBI’s then-general counsel, James Baker, and gave him reports and data supposedly showing nefarious electronic communications between the Trump Organization and Russia’s Alfa Bank.

Before the meeting, Sussmann emailed Baker explicitly saying he wasn’t going there representing any client. But, in actuality, he was billing the

time to the Clinton campaign. On May 30, a District of Columbia jury cleared Sussmann of the charge.

The FBI determined the data didn’t show any nefarious communication.

Durham has said the researchers who analyzed the data as part of the alleged venture were asked to support an “inference” and “narrative” tying Trump to Russia. It appears one of the researchers praised the draft report for concealing its apparent flaws.

“A DNS expert would poke several holes to this hypothesis (primarily around visibility, about which very smartly you do not talk about). That being said, I do not think even the top security (non-DNS)

FROM LISAMIRA BOUADOU/THE EPOCH TIMES; CHIP SOMODEVILLA/GETTY IMAGES

researchers can refute your statements. Nice!” the researcher wrote in an email to Rodney Joffe, an executive or co-owner of several cybersecurity companies, who produced the report and provided it to Sussmann (pdf).

The researcher later defended the email by saying it was “the best and most polite way I can tell [Joffe] that this analysis is not great.”

Durham also pointed out that Sussmann and his clients had a “compelling motive ... to conceal the identities of such clients and origins of the joint venture” because of the “political nature of the exercise and the numerous doubts that the researchers had about the soundness of their conclusions.”

What could seal the deal for Durham would be some communication between the parties in the venture indicating that more than one of them had an understanding that they would give information to the government, but wouldn’t tell the whole story, knowingly misleading the government.

The problem is that the accused parties claim that their internal communications are covered by attorney–client privilege and “work product” privilege. They say the reason that Sussmann’s then-employer, law firm Perkins Coie, was hired by the Clinton campaign was to offer legal advice, including advice on potential defamation lawsuits brought by Trump against the campaign. As such, they needed to compile facts about Trump so they would be sure that what they said about him during the campaign was accurate.

However, Durham challenged this portrayal of the facts. He’s argued that the venture collected info on Trump primarily not to aid a legal analysis, but to disseminate the information with little regard for supposed confidentiality.

In particular, one party to the venture—opposition research firm Fusion GPS, which was hired by Perkins Coie

Durham would need to prove that the Clinton operatives had an understanding that they would be providing information in a way that would mislead the government.



RUSSIAN ANALYST Igor Danchenko is pursued by journalists as he departs the Albert V. Bryan U.S. Courthouse in Alexandria, Va., on Nov. 10, 2021.

to look into Trump—“displayed none of the caution or markers of confidentiality that would typically accompany a legal effort to assess or avoid liability for libel or defamation,” Durham’s team said in an April 26 court filing (pdf).

“The parties’ privilege theory here is akin to claiming that a homeowner pursued ‘legal advice’ regarding noise complaints by having his lawyer hire a marching band to perform in his backyard,” the filing says.

Upon Durham’s request, U.S. District Judge Christopher Reid Cooper for the District of Columbia privately reviewed a few dozen supposedly privileged emails

and determined that some of them indeed weren’t privileged. There are some 1,500 more such documents where Durham challenged the privilege claim.

Durham was tasked around March–May 2019 with reviewing the 2016–2017 FBI investigation of alleged collusion between candidate and later President Donald Trump and Russia to sway the 2016 election. No such collusion was found.

In October 2020, then-Attorney General William Barr appointed Durham as special counsel. In February 2021, Durham resigned his position as a federal prosecutor and has continued the investigation in the sole capacity of special counsel. ■



MICHAEL SUSSMANN, a cybersecurity lawyer who represented Hillary Clinton's presidential campaign in 2016, in Washington on May 18, 2022.

TING CHEN FOR THE EPOCH TIMES

AFTER THE SUSSMANN TRIAL

After Michael Sussmann's acquittal,
who will hold the FBI accountable?

HANS MAHNCKE
News Analysis

The Russiagate saga began in early 2016 as a scheme by Hillary Clinton's 2016 presidential campaign to vilify her rival, Donald Trump, as an agent of the Kremlin. Clinton's scheme comprised two prongs: former British spy Christopher Steele's fictitious dossier and Clinton campaign lawyer Michael Sussmann's false Alfa Bank data.

While special counsel John Durham's Russiagate investigation, having focused on those two prongs, is now in serious jeopardy with the acquittal of Sussmann, very little attention has been paid to how the FBI weaponized

Clinton's scheme to turn up the heat on Trump.

Documents made public at Sussmann's trial add to a growing body of evidence that Clinton's scheme gradually converged with FBI leadership's own scheme. What started out as a political smear campaign carried out by a political candidate became co-opted by the nation's top law enforcement agency to not only damage a sitting president, but to try to remove him from office.

As nefarious as the Clinton campaign's scheme was, the FBI's conduct was much worse.

By the time the FBI opened its Crossfire Hurricane investigation into the Trump campaign on July 31, 2016—supposedly because of a tip it →

had received three days earlier from an Australian diplomat—the Clinton campaign's scheme to vilify Trump as a Russian agent and the FBI's own efforts against Trump had started to amalgamate.

Steele—who had been hired by Clinton operatives at Fusion GPS in May 2016—passed an early dossier report to his FBI handler on July 5, 2016. That dossier report established the narrative that the Kremlin had Trump compromised.

Steele's FBI handler, Michael Gaeta, passed Steele's dossier report to an FBI colleague in the New York office, who then passed it up the ladder to the FBI's counterintelligence team. Later in July 2016, Gaeta received two additional reports from Steele that he also sent up his chain of command.

Officially, the dossier didn't reach the FBI Crossfire Hurricane team investigating the Trump campaign until two months later, on Sep. 19, 2016.

Unofficially, Steele's conspiracy theories had made their way up the FBI chain within weeks of Gaeta getting the first report. According to the inspector general's report on the Crossfire Hurricane investigation, high-level FBI officials were already aware of the dossier's existence, including at FBI headquarters.

Further evidence that an informal FBI investigation was well underway before the Australian diplomat's tip arrived comes in the form of text messages between the FBI's then-counterespionage chief Peter Strzok and Lisa Page, counsel for FBI deputy director Andrew McCabe. In one exchange dated July 27, 2016, Strzok and Page talk about opening a case on Trump.

On July 28, 2016, intelligence services shared intercepted communications with then-President Barack Obama claiming that Clinton had greenlighted

a scheme to vilify Trump with false accusations of Russia collusion. During Sussmann's trial, Clinton's campaign manager Robby Mook confirmed that Clinton had greenlighted the leak of the false allegations to the media. But the FBI ignored the intelligence.

A day later, on July 29, 2016, the two prongs of Clinton's scheme converged when the main protagonists met at the law offices of Perkins Coie in Washington. Attendees included Sussmann, Steele, the heads of Fusion GPS, and lead Clinton campaign lawyer Marc Elias.

It was at that meeting, according to testimony by Steele to a British court, that he was told about the Alfa scheme. These allegations were then included in a memo by Steele dated Sep. 14, 2016, just days before Sussmann would take the Alfa Bank data to the FBI.

Steele testified in a British court that Sussmann provided him with other claims about Alfa Bank's purported ties to Russian President Vladimir Putin during a late July 2016 meeting.

While the two prongs of the Clinton campaign's dirty tricks campaign against Trump had merged, they hadn't yet been fully integrated into the FBI leadership's own plans to pursue Trump.

That would happen two months later, on Sep. 19, 2016, the day when Sussmann took the false Alfa Bank data to the FBI. It was the same day the FBI officially received the Steele dossier.

Sussmann's data was almost immediately dismissed by FBI cyber analysts. The day after Sussmann's visit, lead cyber agent Scott Hellman mocked Sussmann's data in text messages sent

to his unit leader, Nate Batty.

In one of the messages, Hellman sarcastically wrote that if he wanted to open a secret communications channel, he would call it "Scott.Hellmann-email.com," deriding the fact that Sussmann's Alfa data had used the address "mail1.Trump-email.com," an address that hadn't been used since 2009, but suddenly saw a flurry of activity just before Sussmann took his data to the FBI.

Despite the fact that Sussmann's Alfa Bank story was obviously fabricated, FBI leadership overruled their cyber experts and ordered their Chicago office—far away from their own cyber group—to open a full investigation.

Soon after, in October 2016, the FBI obtained a FISA warrant to spy on the Trump campaign via foreign policy adviser Carter Page. That warrant was obtained on the basis of the fraudulent Steele dossier.

By this time, it was clear that the Clinton campaign and the FBI were pursuing the same goal. All the various schemes had merged into one big scheme to get Trump.

When Trump won the 2016 election despite the smears, the FBI's actions shifted into overdrive. Trump may well have won because the corporate media—which at that time still by and large adhered to journalistic standards—never fully embraced the Clinton campaign's dirty tricks.

Most media outlets refused to run with the Steele dossier because they couldn't confirm any of its stories. The New York Times refused to endorse the Alfa Bank story for the same reason, even conceding that "there could be an

When Trump won the 2016 election despite the smears, the FBI shifted into overdrive.



PRESIDENT DONALD TRUMP stands on the Truman Balcony of the White House on Oct. 5, 2020.

innocuous explanation, like a marketing email or spam, for the computer contacts."

FBI leadership understood that in order for any scheme to succeed, the media needed a new hook, and deputy director McCabe, who later admitted to lying about his media contacts, knew how to provide that hook.

When the intelligence community wrote its post-election intelligence community assessment of alleged Russian interference in the 2016 election, McCabe insisted on including the Steele dossier. Rank-and-file analysts didn't agree, as nothing in the dossier had been confirmed. A compromise was reached whereby a summary of Steele's dossier was included in the assessment. The thrust of the summary was that Trump had been compromised by Putin. This was good enough for the FBI. By including it in a formal intelligence community report, the FBI ensured that the dossier obtained legitimacy. FBI Director James Comey then briefed Trump on the dossier on Jan. 6, 2017.

The fact that Trump had been briefed was then leaked to CNN, which reported the story. From then on, there was only one topic for the media and that was the dossier, including all of its salacious lies.

The FBI had successfully weaponized the Clinton campaign's dirty trick. Even the false Alfa Bank story made a comeback in the media. In fact, the FBI knew that both prongs of Clinton's dirty trick were bogus. The Alfa case had been shut down in January 2017. At the same time, the Steele dossier was exposed as a fraud by Igor Danchenko, Steele's primary sub-source. Yet FBI leadership persisted in their investigation of Trump.

On March 4, 2017, Trump wrote on Twitter that he knew he had been spied on. Two days later, a panicked FBI and their Department of Justice (DOJ) supervisors convened a meeting to discuss Trump's Twitter post. It was at this meeting that FBI leaders such as McCabe gave their DOJ counterparts a rosy status report on their investigation, concealing the fact that all investigative leads had collapsed. Through their deceit, FBI leadership was able to convince their DOJ superiors to approve a public announcement that the Trump campaign was under investigation for Russia collusion. That bombshell announcement was made by Comey on March 20, 2017.

The FBI's efforts culminated in May 2017 with the appointment of Robert Mueller as special counsel.

Ultimately, Trump hung on, but the damage caused by the FBI's assault on

him was immense. His first few years in office were consumed by Mueller and the fake scandal. Crucially, Trump wasn't able to deliver on his campaign promise to seek better relations with Russia. Every time Trump tried to engage Russia, the media and Washington establishment lashed out.

When Trump met Russian Foreign Minister Sergei Lavrov at the White House in May 2017, he was immediately accused of passing along state secrets. National security adviser H.R. McMaster even had to hold a press conference to deny the story.

When Trump met Putin in Helsinki in 2018, the press coverage bordered on hysteria, to the point where the media pondered whether a soccer ball that Putin gave Trump as a gift might have been bugged. At no point during his four-year presidency was Trump given an opportunity to have a meaningful dialogue with Russia. A direct consequence of that is the situation we now see in Ukraine.

The untold story of Russiagate is how the FBI, by weaponizing the Clinton campaign's dirty tricks, changed the course of a presidency.

And yet, other than a lowly FBI lawyer who got off with a slap on the wrist for doctoring evidence, no one from the FBI has been charged with any crime. ■

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