

else about the reporting.<sup>601</sup> According to Rodriguez, he recalled that there may have been a conversation with Harpster on this topic.<sup>602</sup> The Office has found no record in FBI files to indicate that the reports were emailed to Rodriguez.

A review of FBI records reflects that between July 27 and July 29, 2016, SAC Harpster was visiting FBI Headquarters “shadowing” Executive Management as part of a career development opportunity.<sup>603</sup> Records also reflect that, on the same day he received the Steele Reports from NYFO ASAC-1, Harpster met with several senior FBI officials at Headquarters.<sup>604</sup> Harpster, however, told the Office that he could not remember receiving the Steele Reports while at Headquarters on July 28, 2016.<sup>605</sup> Nevertheless, email records reflect that Harpster, in fact, received the Reports from NYFO ASAC-1 on July 28, 2016. The email sent by NYFO ASAC-1 contained the message, “As discussed.”<sup>606</sup> FBI phone records also reflect multiple telephone calls between Harpster and NYFO ASAC-1 on July 28, 2016.<sup>607</sup> The first call occurred prior to transmission of the reports and the other calls occurred following NYFO ASAC-1’s email to Harpster attaching the reports. FBI phone records also reflect a July 28, 2016 call between Harpster and Rodriguez after the reports were sent by NYFO ASAC-1 to Harpster. Thus, the records substantially corroborate NYFO ASAC-1’s version of events.

In a second interview with the Office, Harpster recollected that he sent the initial Steele Reports to the Criminal Cyber Response and Services Branch Executive Assistant Director (“EAD”) Randall (“Randy”) Coleman and the Associate Executive Assistant Director (“AEAD”) David (“DJ”) Johnson.<sup>608</sup> Harpster also recalled that he met with Coleman and Johnson at Headquarters on July 28, 2016.<sup>609</sup> During these meetings, it appeared to Harpster that the FBI officials were already aware of the Steele Reports and that EAD Coleman appeared to have engaged in previous conversations with other FBI “higher ups” about the reports.<sup>610</sup> During their interviews with the Office, neither EAD Coleman nor AEAD Johnson could recall any conversation with Harpster about the Steele Reports and they did not recall receiving the reports from him.<sup>611</sup> In addition to his meetings with Coleman and Johnson, Harpster was scheduled to

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<sup>601</sup> OSC Report of Interview of Michael Harpster on July 3, 2019.

<sup>602</sup> OSC Report of Interview of Diego Rodriguez on Aug. 12, 2019 at 1.

<sup>603</sup> FBI-EMAIL-137026 (Email to Harpster on 07/26/2016).

<sup>604</sup> *Id.*

<sup>605</sup> OSC Report of Interview of Michael Harpster on Apr. 23, 2020 at 2.

<sup>606</sup> FBI-EMAIL-135629 (Email from NYFO ASAC-1 to Harpster dated 07/28/2016).

<sup>607</sup> Phone Logs for Headquarters desk phone used by Harpster entry dated 07/28/2016.

<sup>608</sup> OSC Report of Interview of Michael Harpster on Apr. 23, 2020 at 2.

<sup>609</sup> *Id.*

<sup>610</sup> *Id.*

<sup>611</sup> OSC Report of Interview of Randall Coleman on Aug. 12, 2019; OSC Report of Interview of David Johnson on Jan. 6, 2020 at 1; OSC Report of Interview of David Johnson on May 6, 2020 at 1.

spend the entire next day (July 29th) in an executive management shadowing exercise with Deputy Director McCabe.<sup>612</sup>

While Harpster was at FBI Headquarters, others in the NYFO were conferring internally to determine what to do with the Steele Reports. On August 3, 2016, NYFO ASAC-1 held a meeting with NYFO Chief Division Counsel-1 and NYFO Assistant Division Counsel-1, as well as NYFO Clinton Foundation Case Agent-2, who at the time was overseeing the NYFO portion of the fraud and corruption allegations involving the Clinton Foundation.<sup>613</sup> When interviewed by the Office, NYFO Assistant Division Counsel-1 advised that he had been asked to provide legal advice on whether the Steele Reports, which he had not yet read, could be relevant to the Clinton Foundation investigation.<sup>614</sup> NYFO Assistant Division Counsel-1 told the Office that he was effectively serving as a “taint” attorney to avoid potential conflicts for the NYFO corruption team if it were to access Steele’s reporting.<sup>615</sup> Shortly after this meeting, NYFO Assistant Division Counsel-1 had a discussion with Handling Agent-1 about the Reports.<sup>616</sup> On August 5, 2016, NYFO Assistant Division Counsel-1 received two Steele Reports from Handling Agent-1,<sup>617</sup> and on August 25, 2016, NYFO Assistant Division Counsel-1 had a discussion with Handling Agent-1 about Steele’s role as an FBI CHS.<sup>618</sup>

NYFO Assistant Division Counsel-1 ultimately concluded that the Steele Reports appeared to be related exclusively to Trump and were not relevant to the Clinton Foundation investigation.<sup>619</sup> Moreover, NYFO Assistant Division Counsel-1 concluded that the Steele Reports should be examined by FBI counterintelligence personnel.<sup>620</sup> NYFO Assistant Division Counsel-1 subsequently met with the NYFO’s ASAC for counterintelligence (“NYFO ASAC-2”).<sup>621</sup> NYFO Assistant Division Counsel-1 told the Office that he did not provide copies

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<sup>612</sup> FBI-EMAIL-137026 (Email to Harpster on 07/26/2016).

<sup>613</sup> OSC Report of Interview of NYFO ASAC-1 on July 2, 2019 at 2; OSC Report of Interview of NYFO Assistant Division Counsel-1 on Aug. 6, 2019 at 1.

<sup>614</sup> OSC Report of Interview of NYFO Assistant Division Counsel-1 on Aug. 6, 2019 at 1.

<sup>615</sup> *Id.*

<sup>616</sup> Handwritten notes of NYFO Assistant Division Counsel-1 dated 08/04/2016; FBI-AAA-EC-00001529 (Lync message exchange between Handling Agent-1 and NYFO Assistant Division Counsel-1 dated 08/05/2016); FBI-EMAIL-129083 (Email from Handling Agent-1 to NYFO Assistant Division Counsel-1 dated 08/05/2016).

<sup>617</sup> FBI-EMAIL-129199 (Email from Handling Agent-1 to NYFO Assistant Division Counsel-1 dated 08/05/2016).

<sup>618</sup> Handwritten notes of NYFO Assistant Division Counsel-1 dated 08/25/2016; FBI-AAA-EC-00001529 (Lync message exchange between Handling Agent-1 and NYFO Assistant Division Counsel-1 dated 08/25/2016).

<sup>619</sup> OSC Report of Interview of NYFO Assistant Division Counsel-1 on Aug. 6, 2019 at 2.

<sup>620</sup> *Id.*

<sup>621</sup> *Id.*

of the Steele Reports to NYFO ASAC-2 in this meeting, but that NYFO ASAC-2 appeared to already be familiar with the Reports.<sup>622</sup>

On August 29, 2016, NYFO ASAC-2 contacted Case Agent-1, one of the principal agents assigned to Crossfire Hurricane, stating, “We have a taint team in place up here. I am trying to get this reporting released to you so you guys can see it. Just debriefed today.”<sup>623</sup> On September 1, 2016, NYFO ASAC-2 connected NYFO Assistant Division Counsel-1 with Case Agent-1 and Supervisory Special Agent-1.<sup>624</sup> In his email to Supervisory Special Agent-1, Case Agent-1, and NYFO Assistant Division Counsel-1, NYFO ASAC-2 explained, “[NYFO Assistant Division Counsel-1] has some information that I believe may directly impact your CROSSFIRE HURRICANE investigation. I would like [NYFO Assistant Division Counsel-1] to contact your team and deconflict the reporting.”<sup>625</sup> On September 2, 2016, NYFO Assistant Division Counsel-1 emailed Handling Agent-1, NYFO ASAC-2, and NYFO ASAC-1 stating, “I spoke to [Supervisory Special Agent-1] briefly yesterday evening . . . [Supervisory Special Agent-1] has an open matter that touches upon what the CHS provided to you. We decided that he should create a subfile in the matter to serve as a repository for the information the CHS provided to you. It is my understanding that he did this last night.”<sup>626</sup> However, Supervisory Special Agent-1 confirmed that Handling Agent-1 was unable to upload the reporting to the case file until September 13, 2016.<sup>627</sup> In his email of the same date to Handling Agent-1, NYFO Assistant Division Counsel-1 and Special Agent-2, Supervisory Special Agent-1 notified Handling Agent-1 in Rome that he (Handling Agent-1) has been added as a case participant to the restricted case file. Supervisory Special Agent-1 followed this with his apology “for not getting this to you earlier, but the initial email I sent almost 10 days ago had a hangfire and didn’t go out!”<sup>628</sup>

Also of note is the fact that on August 22, 2016, Glenn Simpson of Fusion GPS asked DOJ official Bruce Ohr to call him.<sup>629</sup> Approximately one hour later, Ohr emailed Handling Agent-1 wanting to “check-in.”<sup>630</sup> Ohr and Handling Agent-1 planned to speak by phone on

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<sup>622</sup> *Id.*

<sup>623</sup> FBI-AAA-EC-00008439 (Lync message exchange between Case Agent-1 and NYFO ASAC-2 dated 08/29/2016).

<sup>624</sup> FBI-EMAIL-018184 (Email from NYFO ASAC-2 to Supervisory Special Agent-1, Case Agent-1, NYFO Assistant Division Counsel-1 dated 09/01/2016).

<sup>625</sup> *Id.*

<sup>626</sup> FBI-EMAIL-129523 (Email from NYFO Assistant Division Counsel-1 to Handling Agent-1, NYFO ASAC-2 and NYFO ASAC-1 dated 09/02/2016).

<sup>627</sup> FBI-EMAIL-018127 (Email from Supervisory Special Agent-1 to Handling Agent-1, Special Agent-2, NYFO Assistant Division Counsel-1 dated 09/13/2016).

<sup>628</sup> *Id.* “Hangfire” appears to refer to an email that gets stuck in a person’s outbox and does not transmit.

<sup>629</sup> DocID 0.7.23326.122502 (Email from Simpson to Ohr dated 08/22/2016).

<sup>630</sup> DocID 0.7.23326.122508 (Email from Ohr to Handling Agent-1 dated 08/22/2016); OSC Report of Interview of Handling Agent-1 on July 2, 2019 at 2 (in which Handling Agent-1 informed the Office that he recalled receiving a mid-August 2016 call from Ohr.)

August 24, 2016.<sup>631</sup> During the call, Ohr inquired if the FBI was going to do anything with the information contained in the Steele Reports.<sup>632</sup> Handling Agent-1 told Ohr that a group at FBI Headquarters was working on them.<sup>633</sup>

In multiple interviews with both the Office and the OIG, Supervisory Special Agent-1 stated that he was instructed to call NYFO Assistant Division Counsel-1 by Deputy Director McCabe following a briefing at FBI Headquarters on August 25, 2016.<sup>634</sup> According to Supervisory Special Agent-1, McCabe directed him (Supervisory Special Agent-1) to reach out to the NYFO.<sup>635</sup> In context, McCabe had attended a retirement party in New York City for ADIC Rodriguez the night before.<sup>636</sup> When interviewed by the OIG, however, McCabe stated that he did not recall giving advice to Supervisory Special Agent-1 to call the NYFO.<sup>637</sup>

Ultimately, FBI records reflect that it was not until September 19, 2016, that the Crossfire Hurricane team at FBI Headquarters actually received the first six Steele Reports.<sup>638</sup> These Reports were sent to Supervisory Special Agent-1 by Handling Agent-1 – some 75 days after Handling Agent-1 first received the initial Report from Steele in London. The delayed dissemination within the FBI of the sensational information contained in the Steele Reports is both perplexing and troubling. Indeed, the failure of recollection by FBI personnel concerning the matter certainly raises the question of whether the FBI had misgivings from the start about the provenance and reliability of the Steele Reports. Nevertheless, within two days of their eventual receipt by the Crossfire Hurricane team, information from four of the Steele Reports were being used to support probable cause in the initial FISA application on Carter Page.<sup>639</sup>

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<sup>631</sup> DocID 0.7.23326.122682 (Email from Ohr to Handling Agent-1 dated 08/24/2016).

<sup>632</sup> OSC Report of Interview of Handling Agent-1 on July 2, 2019 at 2.

<sup>633</sup> *Id.*

<sup>634</sup> OIG interview of Supervisory Special Agent-1 on Sept. 13, 2018 at 69-70; OIG interview of Supervisory Special Agent-1 on Jan. 24, 2019 at 89-97, 101-102; OIG interview of Supervisory Special Agent-1 on Feb. 1, 2019 at 86-88; OSC Report of Interview of Supervisory Special Agent-1 on June 17, 2019 at 3-4; Signed, Sworn Statement by Supervisory Special Agent-1 dated Mar. 3, 2021 at 14.

<sup>635</sup> OSC Report of Interview of Supervisory Special Agent-1 on July 22, 2020 at 3.

<sup>636</sup> FBI-EMAIL-624465 (McCabe calendar entry dated 08/24/2016); FBI-EMAIL-623520 (Email to McCabe dated 07/27/2016).

<sup>637</sup> OIG interview of Andrew McCabe on Aug. 15, 2019 at 191.

<sup>638</sup> FBI-EMAIL-129902 (Email from Handling Agent-1 to Supervisory Special Agent-1 dated 09/19/2016); FBI-EMAIL-129908 (Email from Handling Agent-1 to Supervisory Special Agent-1 dated 09/19/2016).

<sup>639</sup> As has been noted by several individuals, including Deputy Director McCabe, the FISA on Page would not have been authorized without the Steele reporting. Indeed, as discussed above, prior to receipt of the Steele Reports, the FBI had drafted a FISA application on Page that the FBI OGC determined lacked sufficient probable cause.

iv. *The September 23, 2016 Yahoo! News article*

On September 23, 2016, Michael Isikoff published his article in *Yahoo! News* titled “U.S. Intel Officials Probe Ties Between Trump Adviser and Kremlin.”<sup>640</sup> The article detailed Carter Page’s alleged meetings in July 2016 with Igor Sechin, Chairman of Russian energy conglomerate Rosneft, and Igor Divyekin, a senior official in the Russian Presidential Administration. The article contained information that was nearly identical to Steele Report 2016/94. The information in the article allegedly came from a “well-placed Western intelligence source” and had been confirmed by a “senior U.S. law enforcement official.” A review of communications between and amongst Crossfire Hurricane personnel revealed that senior investigators, including Case Agent-1 and Supervisory Special Agent-1, believed the “Western intelligence source” was Steele. Further, a review of communications also revealed that members of the investigative team expressed disappointment that Steele had provided the information to the media, believing, justifiably,<sup>641</sup> that such an action would put the Page FISA application in jeopardy. As discussed in more detail below, until late in the process, several drafts of the Page FISA application contained a footnote that explicitly attributed the information in the *Yahoo! News* article to Steele.

v. *The October meeting with Steele in Rome*

On October 3, 2016, Special Agent-2, Acting Section Chief-1, and SIA Brian Auten traveled to Rome, Italy to meet with Handling Agent-1 and Steele.

During this meeting, the interviewers informed Steele, in sum, that the FBI might be willing to pay Steele in excess of \$1,000,000 if he could provide corroborating evidence of the allegations contained in his reporting.<sup>642</sup> The FBI also admonished Steele about the need to have an exclusive reporting relationship with the FBI because, by this time, the FBI had been made aware of the fact that Steele had also been providing his Reports to the State Department through his acquaintance, State Department official Jonathan Winer.<sup>643</sup> In turn, Winer had been providing the Reports, to, among others, then-U.S. Assistant Secretary of State for European and Eurasian Affairs Victoria Nuland, a confidant of former-Secretary of State Clinton.<sup>644</sup> Notwithstanding these red flags, when interviewed by the Office, neither Auten nor Special Agent-2 had any recollection of addressing the *Yahoo! News* concerns with Steele.<sup>645</sup> Further, both Auten and Special Agent-2 drafted summaries of the October 3, 2016 meeting with Steele,

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<sup>640</sup> Isikoff, *Officials Probe Ties*.

<sup>641</sup> Strzok told Auten, “Loking [sic] at the Yahoo article, i [sic] would definitely say at a minimum [Steele’s] reports should be viewed as intended to influence as well as to inform.” FBI-AAA-EC-00007359 (Lync message exchange between Strzok and Auten dated 09/26/2016).

<sup>642</sup> SCO-101648 (Email from Special Agent-2 to Supervisory Special Agent-1, Strzok, Auten, Case Agent-1, Acting Section Chief-1 & Handling Agent-1 dated 10/04/2016).

<sup>643</sup> *Id.*; OSC Report of Interview of Handling Agent-1 on July 2, 2019 at 4.

<sup>644</sup> OSC Report of Interview of Jonathan Winer on Nov. 9, 2021 at 2-3; OSC Report of Interview of Victoria Nuland on Nov. 30, 2021 at 8.

<sup>645</sup> OSC Report of Interview of Brian Auten on July 26, 2021 at 17; OSC Report of Interview of Special Agent-2 on June 25, 2020 at 4.

and neither summary addressed concerns about the *Yahoo! News* article or whether the issue had even been raised with Steele.<sup>646</sup>

Auten's summary provided, among others, the following pertinent facts:

- Steele had one primary sub-source who traveled frequently in Russia.
- Most of the primary sub-source's contacts appear to be unwitting of where their information was going.
- Steele's primary sub-source had personal contact with Sergei Millian. Millian appeared to be "Source E" referenced in Report 2016/095 and was possibly "Source D" in Report 2016/080.
- Steele provided the FBI with the names of four U.S. citizens who may have information regarding Russia and Trump: (i) Charles Dolan; (ii) U.S. Person-1; (iii) U.S. Person-2; and (iv) U.S. Person-3.
- Steele reiterated that Russian Presidential Administration Spokesman Dmitry Peskov was heavily involved in the Russia/Trump operation.<sup>647</sup>

*vi. The draft Page FISA applications – Yahoo! News*

In late September 2016, OI Attorney-1 received a draft copy of the initial Carter Page FISA application from FBI OGC attorney Kevin Clinesmith. This draft copy included information contained in the Steele Reports that first had been provided to Crossfire Hurricane team on September 19, 2016. On October 2, 2016, OI Attorney-1 emailed a revised draft FISA application to Case Agent-1, Auten, Supervisory Special Agent-1, OGC attorneys Clinesmith and FBI OGC Unit Chief-1, and OI Unit Chief-1.<sup>648</sup> Embedded in this draft FISA application was a question regarding the FBI's assessment of the *Yahoo! News* article, in particular, whether Steele had been the source for the article. OI Unit Chief-1 told the Office that, prior to that draft being sent, he was so certain that Steele was the source of the *Yahoo! News* leak that he included the information in a footnote of the draft application.<sup>649</sup> Case Agent-1 responded to OI Attorney-1's email, in sum, that it was the FBI's assessment that the *Yahoo! News* information had indeed come from Steele.<sup>650</sup>

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<sup>646</sup> SCO-020139 (Email from Auten to Supervisory Special Agent-1, Moffa & Strzok dated 10/04/2016); SCO-101648 (Email from Special Agent-2 to Supervisory Special Agent-1, Strzok, Auten, Case Agent-1, Acting Section Chief-1 & Handling Agent-1 dated 10/04/2016).

<sup>647</sup> SCO-020139 (Email from Auten to Supervisory Special Agent-1, Moffa & Strzok dated 10/04/2016).

<sup>648</sup> FBI-EMAIL-557611 (Email from OI Attorney-1 to Case Agent-1, Clinesmith, FBI OGC Unit Chief-1, Auten, Support Operations Specialist-1, Moffa, Supervisory Special Agent-1 & OI Unit Chief-1 dated 10/02/2016).

<sup>649</sup> OSC Report of Interview of OI Unit Chief-1 on Oct. 27, 2020 at 1.

<sup>650</sup> FBI-EMAIL-381130 (Email from Case Agent-1 to OI Attorney-1 dated 10/03/2016).

Following the Rome trip, several additional drafts of the Page FISA application were circulated between the FBI and OI. Throughout these drafts, a footnote stated, in sum, that Source #1 (Steele) had been the “well-placed Western intelligence source” referenced in the *Yahoo! News* article, but that Steele had been admonished by the FBI and that going forward Source #1 would have an exclusive relationship with the FBI.<sup>651</sup> Notwithstanding this footnote, Deputy Assistant Attorney General Evans continued to have questions about Steele’s decision to speak with the press about the same information that he had provided to the FBI.<sup>652</sup> Evans wanted further clarification on whether Steele’s decision to speak with the press indicated a potential bias.<sup>653</sup>

On October 14, 2016, Special Agent-2 emailed OI Attorney-1 and stated that Steele had not previously mentioned the leak (to *Yahoo! News*) and “only acknowledged it when the FBI brought it up on October 4.”<sup>654</sup> This email is directly contradictory to what both Auten and Special Agent-2 told the Office during their interviews, *i.e.*, that the *Yahoo! News* leak had not been raised with Steele. Despite being interviewed about this issue on two separate occasions by the Office, Special Agent-2 did not provide a satisfactory response to explain the contradiction between his memory of the October 3, 2016 meeting with Steele and his October 14, 2016 email to OI Attorney-1.

The confusing nature of Special Agent-2’s email was not lost on OI Attorney-1. Indeed, later on October 14th, OI Attorney-1 sent an email to his supervisor, OI Unit Chief-1, which stated, in part:

I am waiting to hear back from [first name of Case Agent-1], *but my super keen investigative skills tell me* (based on FBI’s earlier comment that only mention of the leak is: “[Source #1] has not mentioned the leak and only acknowledges it when the FBI brought it up on October 4.”) *they never asked and don’t want to ask.*<sup>655</sup>

On October 14, 2016, OI Attorney-1 circulated a document titled “Source #1 footnote update v.2.docx,” and informed the recipients that the document “lists the descriptions we

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<sup>651</sup> See, e.g., DOJ-NSD-00033886 (Email from Evans to Toscas & McCord dated 10/11/2016); DOJ-NSD-00028157 (Email from OI Unit Chief-1 to Case Agent-1, Clinesmith, FBI OGC Unit Chief-1, Auten, Support Operations Specialist-1, Moffa, Supervisory Special Agent-1 & OI Attorney-1 dated 10/11/2016).

<sup>652</sup> DOJ-NSD-00018909 (Email from Evans to OI Unit Chief-1, Sanz-Rexach, OI Deputy Section Chief-1 & OI Attorney-1 dated 10/11/2016).

<sup>653</sup> *Id.*

<sup>654</sup> DOJ-NSD-00024317 (Email from Special Agent-2 to Supervisory Special Agent-1, OI Attorney-1, Case Agent-1, Clinesmith, FBI OGC Unit Chief-1, OI Unit Chief-1, Strzok, Moffa & Page dated 10/14/2016).

<sup>655</sup> DOJ-NSD-00030201 (Email from OI Attorney-1 to OI Unit Chief-1 dated 10/14/2016) (emphasis added).

provide in the application about Source #1.”<sup>656</sup> The last paragraph of the footnote provided the following:

As discussed above, Source #1 was hired by a business associate [in context, Glenn Simpson] to conduct research into Candidate #1’s ties to Russia. Source #1 provided the results of his research to the business associate, and the FBI assesses that the business associate likely provided this information to the law firm that hired the business associate in the first place. Given that the information contained in the September 23<sup>rd</sup> News Article generally matches the information about Page that Source #1 discovered during his/her research, the FBI assesses that Source #1’s business associate or the law firm that hired the business associate likely provided this information to the press.<sup>657</sup>

Later that day, OI Attorney-1 circulated a new draft of the FISA application containing the Source #1 footnote he provided earlier. This version of the FISA application was then sent to the Office of the Deputy Attorney General (“ODAG”) for review.

On October 17, 2016, OI Unit Chief-1 circulated follow-up questions to the FBI that had come from ODAG’s review of the updated draft application. One question centered on reconciling the disparity between the current Source #1 footnote – now attributing the leak to Fusion GPS or the Clinton campaign’s law firm – with the actual language of the article, *i.e.*, that the information in the article came *directly* from a “well-placed Western intelligence source.”<sup>658</sup> Later that evening, Case Agent-1, Supervisory Special Agent-1 and others called OI Unit Chief-1 on the FBI’s Top Secret Lync system (the FBI’s voice chat platform). This call lasted approximately 16 minutes.<sup>659</sup> Following the call, Supervisory Special Agent-1 emailed OI Unit Chief-1 and stated, in sum, that the FBI had addressed all open questions.<sup>660</sup> OI Unit Chief-1 responded to Supervisory Special Agent-1’s email and confirmed that all of the Department’s questions had been answered.<sup>661</sup> In their interviews with the Office, however, Supervisory Special Agent-1 and OI Unit Chief-1 had no recollection of what was said in the conversation

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<sup>656</sup> DOJ-NSD-00030255 (Email from OI Attorney-1 to Evans, Sanz-Rexach, OI Deputy Section Chief-1 & OI Unit Chief-1 dated 10/14/2016).

<sup>657</sup> *Id.* at 3.

<sup>658</sup> DOJ-NSD-00023245 (Email from OI Unit Chief-1 to Case Agent-1, Supervisory Special Agent-1, Clinesmith, FBI OGC Unit Chief-1, OI Attorney-1 & Support Operations Specialist-1 dated 10/17/2016).

<sup>659</sup> FBI-SMS-0000106 (Outlook archive of Lync call dated 10/17/2016).

<sup>660</sup> DOJ-NSD-00023605 (Email from Supervisory Special Agent-1 to OI Unit Chief-1, Case Agent-1, Clinesmith, FBI OGC Unit Chief-1, OI Attorney-1 & Support Operations Specialist-1 dated 10/17/2016).

<sup>661</sup> DOJ-NSD-00023603 (Email from OI Unit Chief-1 to Supervisory Special Agent-1, Case Agent-1, Clinesmith, FBI OGC Unit Chief-1, OI Attorney-1 & Support Operations Specialist-1 dated 10/17/2016).

that changed the FBI's assessment that Steele was the source for the *Yahoo! News* article.<sup>662</sup> This failure of recollection on an important issue for ODAG is troubling and made the Office's potential prosecution of the matter untenable.

On October 18, 2016, OI Attorney-1 emailed Case Agent-1 and Clinesmith an updated draft of the Page FISA application. The Source #1 footnote now provided, in part, and with new language in italics, the following:

As discussed above, Source #1 was hired by a business associate to conduct research into Candidate #1's ties to Russia. Source #1 provided the results of his research to the business associate, and the FBI assesses that the business associate likely provided this information to the law firm that hired the business associate in the first place. *Source #1 told the FBI that he/she only provided this information to the business associate and the FBI.* Given that the information contained in the September 23<sup>rd</sup> News Article generally matches the information about Page that Source #1 discovered during his/her research, the FBI assesses that Source #1's business associate or the law firm that hired the business associate likely provided this information to the press. *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.*<sup>663</sup>

In fact, by this time, the FBI knew that the statement "Source #1 told the FBI that he/she only provided this information to the business associate and the FBI" in itself was not accurate because the FBI was aware that Steele had already provided the Reports to the State Department.<sup>664</sup> Footnote 18 of the final signed October 2016 FISA application contained the identical language as included in the above October 18, 2016 draft.<sup>665</sup>

The Office did not receive a satisfactory answer as to the question of why the FBI initially believed that Steele provided the information *directly* to *Yahoo! News* and then subsequently came to believe that Fusion GPS and/or the Clinton campaign's law firm provided the information to *Yahoo! News*. The September 23, 2016 article itself says that "a well-placed Western intelligence source [told] *Yahoo! News*" about the intelligence reports,<sup>666</sup> and one would conclude (assuming that the article is accurate) that the information came directly from the source and not from a law firm, a business associate, or other person. And, in fact, Steele later admitted to the OIG that in September and October of 2016 he and others from Fusion GPS provided journalists, including *Yahoo! News*, with the allegations against Page. Why did the FBI's assessment change? No FBI or Department employee was able to provide the Office with

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<sup>662</sup> OSC Report of Interview of Supervisory Special Agent-1 on July 21, 2021 at 1; OSC Report of Interview of OI Unit Chief-1 on Oct. 27, 2020 at 1-3.

<sup>663</sup> FBI-EMAIL-561795 (Email from OI Attorney-1 to Case Agent-1 & Clinesmith dated 10/18/2016) at 28.

<sup>664</sup> FBI-EMAIL-101535 (Email from Strzok to Moffa, Laycock, Supervisory Special Agent-1 and two other FBI employees dated 09/30/2016).

<sup>665</sup> *In re Carter W. Page*, No. 16-1182, at 23.

<sup>666</sup> Isikoff, *Officials Probe Ties*.

an explanation as to why the analysis changed, nor do any of the individuals interviewed recall discussions about it. In his interview with the Office, Auten had no recollection of who told him that Steele was not the source of the *Yahoo! News* article, but Auten said his “contemporaneous understanding” at the time of the Rome meeting was that Handling Agent-1 had provided that information.<sup>667</sup> Handling Agent-1, however, emphatically denied asking Steele about the *Yahoo! News* article and stated that his role in the October 2016 meeting was simply to make introductions.<sup>668</sup>

Given Steele’s interactions with *Yahoo! News*, the questions about his potential bias raised by Evans and ODAG were completely justified. It seems reasonable to surmise that the FBI’s assessment of the *Yahoo! News* article radically changed in order to protect the FISA application. Again, not a single FBI employee who participated in the October 3, 2016 meeting with Steele, no other employees with whom we spoke who assisted in drafting the initial FISA application, nor OI Unit Chief-1 had any recollection of why the FBI’s assessment changed. For his part, OI Attorney-1 told the Office that he deferred to the FBI’s assessment of the *Yahoo! News* issue because the FBI was the “owner of the facts.”<sup>669</sup> OI Attorney-1 also recalled that the FBI was constantly pressuring OI to advance the FISA.<sup>670</sup> As mentioned above, OI Attorney-1 recalled Clinesmith informing him (OI Attorney-1) that Director Comey “wants to know what’s going on,” and that the Deputy Director asked who the FBI needed to speak with at the Department “to get this going.”<sup>671</sup> OI Attorney-1 opined that in hindsight he should have been less deferential to the FBI given his concerns about the validity of the assessment.<sup>672</sup>

OI Unit Chief-1 told the Office that, in hindsight, the FBI’s change in assessment regarding *Yahoo! News*, was “curious.”<sup>673</sup> OI Unit Chief-1 stated that, at the time, the FBI’s evolution on the assessment made sense to him.<sup>674</sup> Nonetheless, OI Unit Chief-1 told the Office that it would be “troubling” if the FBI never asked Steele about his role in the *Yahoo! News* leak, which no one apparently ever did.<sup>675</sup>

vii. *The Steele Reports are included in the Page FISA application*

As discussed in greater detail below, four Steele Reports (2016/080, 2016/94, 2016/095 and 2016/102) were relied on by the FBI to support probable cause in the initial Page FISA application and three renewals of that application. Before the receipt of the Steele Reports, the

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<sup>667</sup> OSC Report of Interview of Brian Auten on July 26, 2021 at 17.

<sup>668</sup> OSC Report of Interview of Handling Agent-1 on Aug. 11, 2021 at 2.

<sup>669</sup> OSC Report of Interview of OI Attorney-1 on July 1, 2020 at 2.

<sup>670</sup> *Id.* at 7.

<sup>671</sup> *Id.* at 2.

<sup>672</sup> *Id.*

<sup>673</sup> OSC Report of Interview of OI Unit Chief-1 on Oct. 27, 2020 at 2.

<sup>674</sup> *Id.*

<sup>675</sup> *Id.* at 3.

FBI did not believe that there was sufficient probable cause to apply for a FISA warrant against Page.<sup>676</sup>

Although the FBI had reason to believe that the Steele Reports were opposition research documents commissioned by a law firm and that the candidate's campaign who hired the firm was aware of the Steele Reports, there is nothing in the FBI record to show that this was a consideration or subject of debate prior to the use of the Steele information in the initial FISA application targeting Page. Moreover, not a single substantive allegation pulled from the Steele Reports and used in the initial Page FISA application had been corroborated at the time of the FISA submission – or indeed, to our knowledge, has ever been corroborated by the FBI.<sup>677</sup>

The FBI obtained a total of four FISC orders targeting Page, which authorized intrusive electronic surveillance of Page and physical searches of certain items of his property from October 2016 through September 2017. Each of the FISA applications set forth the FBI's basis for believing that Page was knowingly engaged in clandestine intelligence activities on behalf of Russia, or knowingly helping others in such activities and alleged – based, in part, on the Steele Reports – that (i) Page was part of a “well-developed conspiracy of co-operation” between Trump's campaign and the Russian government (Steele Report 2016/095), (ii) Page allegedly met in July 2016 with Igor Sechin, Chairman of Russian energy conglomerate Rosneft, and Igor Divyekin, a senior official in the Russian Presidential Administration (Steele Report 2016/94), (iii) the Kremlin had for years gathered compromising information on Clinton (Steele Report 2016/080), and (iv) Russia had leaked DNC emails to Wikileaks, an idea concocted by Page and others (Steele Report 2016/102).

As discussed above, in late September 2016, OI Attorney-1 received a copy of a draft request to prepare a FISA application targeting Page from Clinesmith. OI Attorney-1 informed the Office that his subsequent primary responsibility was to “wordsmith” the application and to gather information regarding sources.<sup>678</sup> In this regard, OI Attorney-1 primarily worked with Case Agent-1 and Clinesmith.<sup>679</sup> OI Attorney-1 also told the Office that he was not aware of the fact that a previous draft application had been prepared by the FBI prior to the receipt of the Steele Reports which OGC determined lacked sufficient probable cause to move forward.<sup>680</sup> As discussed above, with respect to the initial application, FBI OGC Unit Chief-1 told the Office that she believed that the initial application was a “close call” but needed more information to meet the probable cause standard.<sup>681</sup> FBI OGC Unit Chief-1 stated that the inclusion of the Steele reporting allowed the FBI to clear the probable cause hurdle in the Page FISA

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<sup>676</sup> See *supra* § IV.D.1.a.i.

<sup>677</sup> OSC Report of Interview of Brian Auten on July 26, 2021 at 24, 31; *Danchenko* Tr. 10/11/2022 PM at 75-76, 79-81, 87, 96-97, 111, 115-117, 154; *Danchenko* Tr. 10/12/2022 PM at 550-551; *Danchenko* Tr. 10/13/2022 AM at 671, 700. Notwithstanding this lack of corroboration, the three FISA renewal applications on Page continued to use the Steele reporting to support probable cause.

<sup>678</sup> OSC Report of Interview of OI Attorney-1 on July 1, 2020 at 1.

<sup>679</sup> *Id.*

<sup>680</sup> *Id.*

<sup>681</sup> OSC Report of Interview of FBI OGC Unit Chief-1 on Aug. 29, 2019 at 6.

application,<sup>682</sup> and, therefore, FBI OGC Unit Chief-1 approved the transmission of the request to OI.

FBI OGC Unit Chief-1 informed the Office, in sum, that she had no concerns with the inclusion of the Steele reporting in the Page FISA applications. FBI OGC Unit Chief-1, however, was not aware of what, if any, vetting had been done regarding the allegations prior to the submission of the initial application to the FISC.<sup>683</sup> FBI OGC Unit Chief-1 did have some recall that a lack of vetting of the Reports was a concern.<sup>684</sup> Finally, FBI OGC Unit Chief-1 told the Office that there was also some concern that Steele had been hired by a law firm on behalf of the Clinton campaign and the DNC to conduct opposition research on Trump.<sup>685</sup> Despite these concerns, the fact that Steele's information was being financed by the DNC and/or the Clinton campaign was not included in the affidavit's source description of Steele.<sup>686</sup> The failure to provide this information to the FISC was a major omission in that the information clearly had the potential to affect the analysis of any bias in Steele's reporting.

With respect to the Steele Report allegations in the initial FISA application, OI Attorney-1 told the Office that he did not think the FBI was initially concerned with corroborating Steele's reporting, although he recalled that at some point some unknown efforts had been made.<sup>687</sup> Rather than corroborating the allegations, OI Attorney-1 recalled that the FBI's primary focus was on Steele's past reliability as an FBI CHS.<sup>688</sup> In his interview with the Office, Case Agent-1 also noted the importance of Steele's past reliability as reason to include his (Steele's) reporting in the FISA application, but also stated, in sum, that it was essential for the FBI to corroborate the Steele reporting, to include verification of Steele's alleged sub-sources.<sup>689</sup> To that end, the Office directly asked Case Agent-1 whether *any* of Steele's allegations contained in the initial FISA application had been corroborated. Case Agent-1 stated that "he could not recall anything specific that was fully corroborated."<sup>690</sup> Shockingly, Case Agent-1 told the Office that the initial

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<sup>682</sup> *Id.* at 6-7.

<sup>683</sup> OSC Report of Interview of FBI OGC Unit Chief-1 on July 23, 2020 at 7.

<sup>684</sup> *Id.*

<sup>685</sup> *Id.* at 9.

<sup>686</sup> A footnote in the FISA application did describe the person who hired Steele. It says this person "never advised [Steele] as to the motivation behind the research into [Trump's] ties to Russia." It went on to say that "[t]he FBI speculates that the . . . person was likely looking for information that could be used to discredit [Trump's] campaign." *In re Carter W. Page*, No. 16-1182, at 15-16 n.8. However, as noted above at page 111, prior to the submission of the initial Page FISA application, the FBI in fact knew Steele had told Handling Agent-1 that Fusion GPS had been hired by a law firm and that his ultimate client was "senior Democrats" supporting Clinton. Moreover, it knew that Handling Agent-1's notes of this meeting reflect that, according to Steele, "HC" (Hillary Clinton) was aware of his (Steele's) reporting.

<sup>687</sup> OSC Report of Interview of OI Attorney-1 on July 1, 2020 at 2.

<sup>688</sup> *Id.*

<sup>689</sup> OSC Report of Interview of Case Agent-1 on Aug. 21, 2019 at 3.

<sup>690</sup> *Id.* at 3-4.

FISA application targeting Page was being done in the hope that the returns would “self-corroborate.”<sup>691</sup> In any event, over time, and as discussed in more detail below, the FBI did attempt to investigate, vet, and analyze the Steele Reports but ultimately was not able to confirm or corroborate any of the substantive allegations.

Notwithstanding these obvious infirmities, the FBI and the Department included these allegations in all four Page FISA applications, including in two applications *after* Steele’s primary sub-source (Igor Danchenko) had been identified, interviewed by the FBI, and was not able to provide corroboration for any of the allegations he provided to Steele. To that end, as discussed more fully below, OI Unit Chief-1 was aware that the primary sub-source had been identified and interviewed by the FBI, but OI Unit Chief-1 only later learned that serious questions arose from those January 2017 interviews of Danchenko concerning the reliability of his information as well as apparent contradictions with Steele’s reports. In OI Unit Chief-1’s opinion, he doubted that NSD would have supported subsequent renewals of the Page surveillance had the FBI made it fully aware of the disconnect between Steele’s reporting and the FBI’s interviews of Danchenko.<sup>692</sup>

*viii. The FBI identifies Steele’s primary sub-source*

During the October 3, 2016 Rome meeting, Steele informed FBI personnel that his reporting was primarily generated by a single sub-source, who in turn, relied on his own network of sub-sources to gather information.<sup>693</sup> Steele stated that this primary sub-source traveled freely in Russia and appeared to be well-connected.<sup>694</sup> Steele, however, would not provide the FBI with the name of his primary sub-source. In late December 2016, the FBI determined that Igor Danchenko, a U.S.-based Russian national living in Washington, D.C., was Steele’s primary sub-source.<sup>695</sup> Notwithstanding this fact, the FBI and the Department did not correct in the final two FISA applications targeting Page the characterization of the primary sub-source as being “Russia-based.”<sup>696</sup>

*ix. Igor Danchenko*

From 2005 through 2010, Igor Danchenko worked as an analyst at the Brookings Institution in Washington, D.C. where he focused primarily on Russian and Eurasian geopolitical and economic matters.<sup>697</sup> Danchenko came to be employed at Brookings after writing to Brookings senior fellows (“Brookings Fellow-1” and “Brookings Fellow-2”) while a student at the University of Louisville. Through that connection, Danchenko was hired as a research

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<sup>691</sup> *Id.* at 4.

<sup>692</sup> OSC Report of Interview of OI Unit Chief-1 on Oct. 27, 2020 at 4.

<sup>693</sup> SCO-020139 (Email from Auten to Supervisory Special Agent-1, Moffa, & Strzok dated 10/04/2016).

<sup>694</sup> *Id.*

<sup>695</sup> OSC Report of Interview of Brian Auten dated July 26, 2021 at 24.

<sup>696</sup> SCO\_105155 (Summary of FISA Applications Targeting Carter Page).

<sup>697</sup> SCID\_00004743 (Curriculum Vitae of Igor Danchenko).

assistant to Brookings Fellow-2.<sup>698</sup> In approximately 2010, Brookings Fellow-1 introduced Danchenko to Christopher Steele.<sup>699</sup> In 2011, Steele retained Danchenko as a contractor for his London-based firm, Orbis Business Intelligence.<sup>700</sup> In his work for Orbis, Danchenko focused primarily on Russian and Eurasian business risk assessment and geopolitical analysis. As discussed above, beginning in June 2016, Steele – using information provided primarily by Danchenko<sup>701</sup> – began to compile and draft the Steele Reports containing unsubstantiated allegations of illicit ties between Trump and the Russian government.

As discussed in more detail below, from January 2017 through October 2020, and as part of its efforts to determine the truth or falsity of specific information in the Steele Reports, the FBI conducted multiple interviews of Danchenko regarding, among other things, the allegations that he provided to Steele that ultimately formed the core of the Steele Reports. During these extensive interviews, Danchenko was unable to provide the FBI with corroborating evidence for any of the substantive allegations contained in the Steele Reports. In fact, Danchenko claimed that the Ritz Carlton allegations he provided to Steele were nothing more than “rumor and speculation,” and that most of the information he gathered for Steele was the product of casual conversation with people in his social circle, including those parts of the Steele Reports used in the Page FISA applications.<sup>702</sup>

x. *Danchenko’s employment at Danchenko Employer-1 and payments by Steele and others*

During the course of its investigation, the Office gathered evidence related to the unusual process through which Steele paid Danchenko over the course of his work for Orbis. A brief recitation of those facts is included below.

As discussed above, Danchenko informed the FBI during his January 2017 interviews that, in approximately 2011, he began conducting work for Steele’s firm, Orbis Business Intelligence.<sup>703</sup> Danchenko described his work with Steele as a “side project [ ]” in addition to his employment in the United States at a Virginia-based venture capital firm.<sup>704</sup>

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<sup>698</sup> OSC Report of Interview of Brookings Fellow-2 dated Nov. 16, 2021 at 1.

<sup>699</sup> OSC Report of Interview of Brookings Fellow-1 on Sept. 17, 2021 at 4; SCO-005801 (Interview of Igor Danchenko Electronic Communication dated 02/09/2017) at 5.

<sup>700</sup> SCO-005801 (Interview of Igor Danchenko Electronic Communication dated 02/09/2017) at 6.

<sup>701</sup> According to Danchenko, he provided 80% of the intelligence and 50% of the analysis contained in the Steele Reports. *Danchenko* Government Exhibit 1502.

<sup>702</sup> SCO-005801 (Interview of Igor Danchenko Electronic Communication dated 02/09/2017) at 23, 39; SCO\_105282 (CHS Reporting Document dated 06/01/2017).

<sup>703</sup> SCO-005801 (Interview of Igor Danchenko Electronic Communication dated 02/09/2017) at 6.

<sup>704</sup> *Id.*

In approximately 2014, Danchenko ceased working for the venture capital firm following the firm's declaration of bankruptcy.<sup>705</sup> According to Danchenko, at the time of its bankruptcy, the firm was in the process of sponsoring Danchenko's visa application to remain in the United States.<sup>706</sup> Following this development, Danchenko reached out to an acquaintance in the United States who operated Danchenko Employer-1, a Virginia-based information technology staffing firm.<sup>707</sup> Danchenko stated, in sum, that he was seeking employment at Danchenko Employer-1 in order to extend his visa and remain in the United States.<sup>708</sup> Orbis, due to its United Kingdom-based registration, was unable to sponsor Danchenko in furtherance of his work visa application.<sup>709</sup>

According to Danchenko, the principal of Danchenko Employer-1 informed Danchenko that he would hire him on the condition that Danchenko would be compensated by an outside source – in essence, Danchenko Employer-1 would hire Danchenko to assist with his immigration status, but not fund his salary.<sup>710</sup> Danchenko informed Steele about this arrangement and Steele agreed to pay Danchenko Employer-1 for the work that Danchenko was conducting on behalf of Orbis.<sup>711</sup> During his January 2017 interviews with the FBI, Danchenko described Danchenko Employer-1 as a “contract vehicle” through which Danchenko would be paid for his work on behalf of Orbis.<sup>712</sup> Put plainly, Danchenko Employer-1 was merely a front to allow Danchenko to continue his work on behalf of Orbis, while at the same time allowing him to secure a work visa through alleged employment with a U.S.-based company. As relevant to this investigation, Danchenko Employer-1 Executive-1, an ethnic Russian, described Danchenko as someone who was “boastful . . . having low credibility, *and a person who liked to embellish his purported contacts with the Kremlin.*”<sup>713</sup>

The Office's investigation discovered that Orbis, through a separate New Jersey-based company, paid Danchenko Employer-1 for the work Danchenko performed on behalf of Orbis.<sup>714</sup> In turn, Danchenko Employer-1 provided Danchenko with a salary funded by Orbis.<sup>715</sup> By any measure, this was an extremely odd arrangement given that Danchenko performed no work

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<sup>705</sup> *Id.* at 4-5.

<sup>706</sup> *Id.* at 8.

<sup>707</sup> *Id.* at 9; OSC Report of Interview of Danchenko Employer-1 Executive-1 on June 30, 2021 at 1.

<sup>708</sup> SCO-005801 (Interview of Igor Danchenko Electronic Communication dated 02/09/2017) at 9.

<sup>709</sup> *Id.* at 8-9.

<sup>710</sup> *Id.* at 9.

<sup>711</sup> *Id.*

<sup>712</sup> *Id.*

<sup>713</sup> OSC Report of Interview of Danchenko Employer-1 Executive-1 on June 30, 2021 at 1 (emphasis added).

<sup>714</sup> OSC Report of Interview of New Jersey-Based Company Executive-1 on Aug. 9, 2021 at 1.

<sup>715</sup> *Id.*

related to Danchenko Employer-1's primary business purpose, *i.e.*, the staffing of information technology and engineering contractors.<sup>716</sup> Nevertheless, Danchenko Employer-1 ultimately sponsored Danchenko's work visa to remain in the United States.<sup>717</sup>

In sworn testimony that Steele provided in litigation in the United Kingdom concerning, among other things, the Steele Reports, Steele stated that he paid his sources an average retainer between \$3,000 and \$5,000 per month.<sup>718</sup>

Banking and other records also show that from January of 2016 through June 2021, Danchenko received over \$436,000 in wire transfers from European businesses, including from Orbis and other entities affiliated with Orbis. These money transfers were in addition to the money that Orbis sent through Danchenko Employer-1 to fund Danchenko's salary.

c. The prior counterespionage investigation of Danchenko and the FBI's failure to account for his possible motivations and allegiance

Danchenko was a known entity to the FBI in December 2016 when he was identified as Steele's primary sub-source. As publicly reported, Danchenko was the subject of an FBI counterespionage investigation from 2009 to 2011.<sup>719</sup> In late 2008, while employed by the Brookings Institution in Washington, D.C., Danchenko engaged two fellow employees ("Brookings Researcher-1" and "Brookings Researcher-2") at a happy hour about whether one of the employees might be willing or able in the future to provide classified information in exchange for money.<sup>720</sup> Brookings Researcher-1 was a research fellow for an influential foreign policy advisor who was about to enter the Obama administration.<sup>721</sup> According to Brookings Researcher-1, Danchenko believed that he (Brookings Researcher-1) might also enter the Obama administration with the foreign policy advisor and have access to classified information. During this exchange, Danchenko informed Brookings Researcher-1 that he (Danchenko) had access to people who would be willing to pay money for classified information.<sup>722</sup> Rightly concerned, Brookings Researcher-1 informed a U.S. government contact at an appropriate government agency about this encounter, and the information was subsequently passed on to the FBI.<sup>723</sup>

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<sup>716</sup> OSC Report of Interview of Danchenko Employer-1 Executive-1 on June 30, 2021 at 1-2.

<sup>717</sup> *Id.* at 1.

<sup>718</sup> *Steele Transcript* at 171.

<sup>719</sup> Andrew Desiderio & Kyle Cheney, *Steele Dossier Sub-Source Was Suspected of Spying for Russia, DOJ Reveals*, Politico, (Sept. 24, 2020); *Danchenko* Tr. 10/13/2022 PM at 876:3-877:18, 886:22-25; SCO\_105161 (Summary of Final June 3, 2019 Significant Source Validation Report of Igor Danchenko); SCO-061528 (Letter from William Barr to Lindsey Graham dated Sept. 24, 2020); SCO-061530 (Overview of the Counterintelligence Investigation of Christopher Steele's Primary Sub-Source).

<sup>720</sup> SCO\_105160 (Summary of Solicitation); OSC Report of Interview of Brookings Researcher-1 on Dec. 1, 2021 at 2.

<sup>721</sup> *Id.*

<sup>722</sup> *Id.*

<sup>723</sup> *Id.*

When interviewed by the FBI, Brookings Researcher -1 confirmed the details of the interaction with Danchenko.<sup>724</sup> With respect to his interactions with Danchenko at Brookings, Brookings Researcher-1 described Danchenko as “sketchy” and “suspicious.”<sup>725</sup> The second Brookings employee, Brookings Researcher-2, was also interviewed by the FBI. While Brookings Researcher-2 did not specifically recollect the events in question, he did harbor suspicions that Danchenko was connected to Russian intelligence.<sup>726</sup> His suspicions were based, in part, on the fact that Danchenko held multiple advanced degrees but continued working as a low-level research assistant at Brookings – the implicit assumption being that Brookings unwittingly provided Danchenko access to information of high value to the Russians.<sup>727</sup>

Based on the information provided by Brookings Researcher-1, the FBI’s Baltimore Field Office initiated a preliminary espionage investigation into Danchenko.<sup>728</sup> Two Baltimore Field Office Agents led the investigation into Danchenko (“Baltimore Case Agent-1” and “Baltimore Case Agent-2”). Brian Auten, who was at the time an Intelligence Analyst (IA) as opposed to a Supervisory IA, provided Headquarters analytical support to the investigation. The FBI converted its investigation of Danchenko into a “full investigation” after learning that Danchenko (i) had been identified as an associate of two other FBI espionage subjects, and (ii) had previous contact with the Russian Embassy and known Russian intelligence officers.<sup>729</sup> In particular, the FBI learned that in September 2006, Danchenko informed one Russian intelligence officer that he had an interest in entering the Russian diplomatic service.<sup>730</sup> Four days later, the intelligence officer contacted Danchenko and informed him that they could meet that day to work “on the documents and then think about future plans.”<sup>731</sup> In October 2006, Danchenko contacted the intelligence officer “so the documents can be placed in [the following day’s] diplomatic mail pouch.”<sup>732</sup>

As part of its investigation into Danchenko, the FBI also interviewed several people at Georgetown University who knew Danchenko. At the time, Danchenko was attempting to obtain another advanced degree. One person, a U.S. citizen who had recently interned at an intelligence agency, recalled that Danchenko asked her about her knowledge of Russian matters

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<sup>724</sup> SCO-061530 (Overview of the Counterintelligence Investigation of Christopher Steele’s Primary Sub-source) at 1.

<sup>725</sup> OSC Report of Interview of Baltimore Case Agent-1 on Aug. 13, 2020 at 3.

<sup>726</sup> *Id.* at 2.

<sup>727</sup> *Id.*

<sup>728</sup> SCO-061530 (Overview of the Counterintelligence Investigation of Christopher Steele’s Primary Sub-source) at 1.

<sup>729</sup> *Id.*

<sup>730</sup> *Id.* at 2.

<sup>731</sup> OSC Report of Interview of Baltimore Case Agent-1 on Aug. 13, 2020 at 3.

<sup>732</sup> SCO-061530 (Overview of the Counterintelligence Investigation of Christopher Steele’s Primary Sub-source) at 2.

every time he encountered her.<sup>733</sup> On one occasion, Danchenko inquired about the person's knowledge of a specific Russian military matter.<sup>734</sup> That same person stated, in sum, that Danchenko informed her that he served in the Russian army and worked with rockets, but at the time worked on "special" matters.<sup>735</sup> Danchenko also told this person that his Russian passport listed him as GRU (the Russian military intelligence service) because of his language skills.<sup>736</sup> Based on these encounters, the individual believed that Danchenko was working for a Russian intelligence service.<sup>737</sup> Another Brookings colleague recalled that in 2008 Danchenko informed her that he (Danchenko) had been absent from work at Brookings because he had been in South Ossetia fighting Georgians.<sup>738</sup> Danchenko also bragged to this colleague about vandalizing the Georgian embassy in Belarus.<sup>739</sup>

Further, as part of its espionage investigation, the FBI determined that Danchenko was an associate of two FBI counterintelligence subjects.<sup>740</sup>

In July 2010, the FBI initiated a FISA request on Danchenko, which was subsequently routed to OI in August 2010.<sup>741</sup> However, the investigation into Danchenko was closed in March 2011 after the FBI incorrectly concluded that Danchenko had left the country.<sup>742</sup> Specifically, the FBI believed that Danchenko and his then-wife had traveled on a one-way ticket to London on September 26, 2010.<sup>743</sup> The Office's investigative efforts revealed that, in fact, Danchenko never boarded the flight to London but, unknown to the FBI, continued to reside in the Washington, D.C. area.<sup>744</sup>

In 2012, after the counterespionage investigation of Danchenko had been closed because he was thought to have left the country, Auten exchanged emails with Baltimore Special Agent-2 regarding Danchenko. Specifically, Auten advised Baltimore Special Agent-2 that Danchenko may not have left the United States as initially believed in September 2010.<sup>745</sup> FBI Baltimore

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<sup>733</sup> SCO-101733 (Human Source Validation Report of Danchenko) at 5.

<sup>734</sup> *Id.*

<sup>735</sup> *Id.*

<sup>736</sup> *Id.*

<sup>737</sup> *Id.*

<sup>738</sup> *Id.*

<sup>739</sup> *Id.*

<sup>740</sup> SCO-061528 (Letter from William Barr to Lindsey Graham dated Sept. 24, 2020); SCO-061530 (Overview of the Counterintelligence Investigation of Christopher Steele's Primary Sub-Source); *see also* OSC Report of Interview of Brian Auten on July 26, 2021 at 1.

<sup>741</sup> SCO-061530 (Overview of the Counterintelligence Investigation of Christopher Steele's Primary Sub-source) at 2.

<sup>742</sup> *Id.* at 1; OSC Report of Interview of Baltimore Special Agent-1 on Aug. 13, 2020 at 2.

<sup>743</sup> OSC Report of Interview of Baltimore Case Agent-1 on Aug. 13, 2020 at 4.

<sup>744</sup> U.S. Customs and Border Protection Person Encounter List for Igor Danchenko at 5.

<sup>745</sup> OSC Report of Interview of Brian Auten on July 26, 2021 at 2.

apparently indicated that it would consider re-opening the investigation into Danchenko, but never did.<sup>746</sup> Thereafter, Auten contacted WFO about re-opening a case on Danchenko, or alternatively, attempting to recruit him as a CHS.<sup>747</sup> Auten, however, cautioned WFO to not “get played back,” meaning the Russian intelligence services could be using Danchenko as a double-agent.<sup>748</sup> During his interview with the Office, Auten stated that he did not know what, if any, action WFO took with respect to this information.<sup>749</sup> Ultimately, the case against Danchenko was never reopened by the Baltimore Division and no recruitment effort was undertaken by WFO.

The Special Counsel interviewed both Baltimore Special Agent-1 and Baltimore Special Agent-2. Baltimore Special Agent-1 believed that, based on his review of the case file, Danchenko was connected in some manner to Russian intelligence.<sup>750</sup> Baltimore Special Agent-1 believed that Danchenko was “hiding in plain sight” in the United States while frequently traveling overseas to Europe to be debriefed by Russian intelligence.<sup>751</sup> Baltimore Special Agent-2 stated, in sum, that the counterintelligence case on Danchenko remained unresolved and, in her opinion, “certainly a lot more investigation” should have been conducted on Danchenko.<sup>752</sup>

*i. Danchenko becomes a paid FBI CHS despite the unresolved counterespionage investigation*

Danchenko was interviewed by the FBI in January 2017 following his identification in December 2016 as Steele’s primary sub-source. FBI materials reviewed by the Office revealed that the primary purpose for the FBI’s initial engagement with Danchenko in January 2017 was to recruit him as a paid CHS.<sup>753</sup> If this recruitment was successful, the FBI planned to mine Danchenko for information that was corroborative of the damaging allegations about President-elect Trump in the Steele Reports.

The FBI initially interviewed Danchenko over the course of three days, January 24-26, 2017.<sup>754</sup> These interviews were conducted pursuant to a grant of letter immunity provided by the Department.<sup>755</sup> The interviews were conducted primarily by Case Agent-1 and Auten. Danchenko was represented by counsel during the entirety of the interviews. As Auten has

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<sup>746</sup> *Id.*

<sup>747</sup> *Id.*

<sup>748</sup> *Id.*

<sup>749</sup> *Id.*

<sup>750</sup> OSC Report of Interview of Baltimore Case Agent-1 on Aug. 13, 2020 at 4.

<sup>751</sup> *Id.*

<sup>752</sup> OSC Report of Interview of Baltimore Special Agent-2 on July 28, 2020 at 5.

<sup>753</sup> *See, e.g.,* SCO\_105244 (Email from Supervisory Special Agent-3 to Boone, Supervisory Special Agent-2, Special Agent-1, Case Agent-1, & Auten dated 01/12/2017).

<sup>754</sup> SCO-005801 (Interview of Igor Danchenko Electronic Communication dated 02/09/2017).

<sup>755</sup> Letter from David Laufman to Igor Danchenko dated Jan. 24, 2017.

stated both in interviews with the Office and as a trial witness in *United States v. Danchenko*, 21-CR-245 (E.D Va.), the game plan for the January 2017 interviews was to (i) have Danchenko identify his sources for the allegations contained in the Steele Reports and (ii) provide evidence to corroborate the allegations contained in the Steele Reports.<sup>756</sup> As Auten testified in *Danchenko*, during the January 2017 interviews, Danchenko was not able to provide *any* corroborative evidence related to *any* substantive allegation contained in the Steele Reports – and critically – was unable to corroborate *any* of the FBI’s assertions contained in the Carter Page FISA applications.<sup>757</sup>

Nevertheless, following the January 2017 interviews, Crossfire Hurricane leadership reached out to WFO to begin the recruitment of Danchenko as an FBI CHS. SA Kevin Helson, assigned to a counterintelligence squad at WFO, was selected to serve as Danchenko’s source handler.<sup>758</sup> According to Helson, he was selected because he was a senior agent with knowledge of Russian matters.<sup>759</sup> In early March 2017, Helson prepared the Danchenko source opening documentation. In preparing those documents, Helson incorrectly noted that there was no “derogatory” information associated with Danchenko and that Danchenko had not been a prior subject of an FBI investigation.<sup>760</sup> This was clearly not true as there had previously been the unresolved Baltimore FBI counterespionage investigation of Danchenko that was only closed because it was believed he had left the country and returned to Russia.

The Office was able to determine that Helson became aware of the counterespionage investigation shortly after completing the source opening documentation, but failed to revise the paperwork because of a purported belief that the prior case on Danchenko was based solely on hearsay.<sup>761</sup> In a November 24, 2020 interview with the Office, Helson was shown a spreadsheet listing Sentinel (the FBI’s case management system) searches that he performed on March 7, 2017 – mere days after completing the CHS opening documentation – in which he specifically queried the counterespionage case file on Danchenko.<sup>762</sup> Helson stated that he had no recollection as to why he searched certain serials in that case file, and he advised that he would not have thought Danchenko should be the main subject of that type of espionage case since Danchenko, in Helson’s view, was a foreign national without a security clearance.<sup>763</sup> Whatever the reason for not locating and documenting the serious derogatory information, the record is clear the FBI opened Danchenko as a CHS without ever resolving the Baltimore espionage matter or examining the file.

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<sup>756</sup> OSC Report of Interview of Brian Auten on July 26, 2021 at 21; *Danchenko* Tr. 10/11/2022 PM at 125, 151.

<sup>757</sup> *Danchenko* Tr. 10/11/2022 PM at 154, *Danchenko* Tr. 10/12/2022 PM at 550-551.

<sup>758</sup> OSC Report of Interview of Brian Auten on July 26, 2021 at 21; *Danchenko* Tr. 10/11/2022 PM at 152-153.

<sup>759</sup> OSC Report of Interview of Kevin Helson on Nov. 24, 2020 at 1.

<sup>760</sup> *Id.* at 7, 10; SCO-105224 (Source Opening Communication dated 03/07/2017).

<sup>761</sup> OSC Report of Interview of Kevin Helson on Nov. 24, 2020 at 10.

<sup>762</sup> *Id.* at 7.

<sup>763</sup> *Id.*

Despite having seen that Danchenko was identified in the opening serial of a counterespionage investigation in Baltimore, Helson informed investigators that he was surprised to learn from Auten on March 24, 2017 that Danchenko was indeed the main subject of that counterespionage case.<sup>764</sup> According to Helson, Auten informed him, in sum, that Danchenko had a long history with Russian intelligence officers, and that he had previously pitched someone for classified information. According to Helson, however, Auten advised him (Helson) that the case against Danchenko was “interesting, but was not a significant” matter.<sup>765</sup> Helson informed the Office that he had a clear recollection of this conversation with Auten. Notably, Auten did not inform Helson that he had previously assisted in the Baltimore investigation. Once Helson learned of the existence of the counterespionage case against Danchenko, he failed at the time to take even the basic step of conferring with the case agents previously assigned to the matter. In fact, and as discussed in more detail below, Helson did not reach out to Baltimore Special Agent-2 until May 2019 when Danchenko was being evaluated by the FBI’s CHS Validation Management Unit (“VMU”) and the VMU raised serious concerns about the prior counterespionage case.

When the Office asked Helson about his reaction to learning that Danchenko pitched a colleague for classified information, Helson stated “it sounds like something Danchenko would do, that’s how Danchenko works.”<sup>766</sup> Helson further stated, in sum, that the fact Danchenko comes off as a Russian spy is describing half the population of Washington, D.C. In his interviews with the Office, Helson was essentially dismissive of the prior counterespionage investigation on Danchenko.

Despite the unresolved counterespionage case against Danchenko and Helson’s (and others) apparent lack of curiosity regarding the matter, the FBI began operating Danchenko as a paid CHS in March 2017.<sup>767</sup> As discussed further below, the FBI and Helson made no further efforts to examine the unresolved espionage case until the VMU exposed the security issues surrounding Danchenko in May 2019.

*ii. The VMU examines Danchenko’s suitability as a source*

The FBI’s previous espionage investigation into Danchenko was raised in May 2019 in the context of a Human Source Validation Report (“HSVR”) on Danchenko prepared by the FBI’s VMU. The VMU raised several concerns related to Danchenko’s past associations, behaviors, and travel history, including the prior and unresolved espionage case. In addition to the information contained in the prior espionage file, including Danchenko’s fairly extensive contacts with known and suspected Russian intelligence officers, the HSVR detailed a February 2018 U.S. Customs and Border (“CBP”) inspection of Danchenko when he re-entered the United States after being in the United Kingdom, in which a CBP officer discovered business cards for Russian diplomats residing in England.<sup>768</sup> The HSVR also detailed several falsehoods and

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<sup>764</sup> *Id.* at 7-8.

<sup>765</sup> *Id.* at 7.

<sup>766</sup> *Id.* at 8.

<sup>767</sup> SCO-105224 (Source Opening Communication dated 03/07/2017).

<sup>768</sup> SCO-101733 (Human Source Validation Report) at 15-16.

inconsistencies found in Danchenko's visa applications and immigration documents. One member of the VMU with extensive prior service as an Army counterintelligence officer in Europe ("Headquarters Supervisory Analyst-1") expressed grave concerns about the counterespionage case and was strongly of the opinion that Danchenko was connected to Russian intelligence in some manner.<sup>769</sup>

In response to the concerns of Supervisory Analyst-1 and others in the VMU, Helson reached out to Baltimore Special Agent-2 for the *first* time – over two years after he initially learned of the counterespionage case against Danchenko. Helson informed the VMU (and later the Office), that Baltimore Special Agent-2 stated, in sum, that the investigation was premised on "hearsay at best."<sup>770</sup> However, when interviewed by the Office on July 28, 2020, Baltimore Special Agent-2 expressed disbelief when she first learned that Danchenko had been signed up as an FBI source because, among other things, the FBI had not resolved the prior counterespionage case.<sup>771</sup> When informed that Helson stated to the VMU that Baltimore Special Agent-2 had characterized the predication of the counterespionage case as "hearsay at best," Baltimore Special Agent-2 was adamant that she would never have characterized Danchenko's direct pitch to Brookings Researcher -1 for classified information as hearsay.<sup>772</sup> To the contrary, Baltimore Special Agent-2 stated that the information came directly from the individual who was the target of the pitch for classified information.<sup>773</sup> In two subsequent interviews with the Office, Baltimore Special Agent-2 again denied ever telling Helson that the counterespionage case against Danchenko was predicated on "hearsay at best."<sup>774</sup> Baltimore Special Agent-2 confirmed to the Office that the Danchenko counterespionage case would have continued if he had not left the country, as the FBI mistakenly believed he had.<sup>775</sup> When shown Helson's source opening documentation that contained the "no derog" entry, Baltimore Special Agent-2 agreed that the entry was clearly incorrect.<sup>776</sup>

*iii. The VMU's recommendations to WFO and Helson*

The HSVR on Danchenko recommended that he be allowed to remain open as a CHS but recommended that several steps be taken to help mitigate the VMU's substantial concerns about Danchenko. As an initial matter, when asked why the VMU recommended that Danchenko be allowed to remain open given the concerns noted above, several individuals who participated in the HSVR stated that the VMU lacked the institutional ability to do anything more than to make

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<sup>769</sup> OSC Report of Interview of Headquarters Supervisory Analyst-1 on Dec. 8, 2020 at 1, 4; *Danchenko* Tr. 10/13/2022 PM at 890-91.

<sup>770</sup> SCO-105324 (Helson memo of May 24, 2019 conversation with Baltimore Special Agent-2 at 1).

<sup>771</sup> OSC Report of Interview of Baltimore Special Agent-2 on July 28, 2020 at 3.

<sup>772</sup> *Id.*

<sup>773</sup> *Id.*

<sup>774</sup> OSC Report of Interview of Baltimore Special Agent-2 on Aug. 13, 2020 at 1-2; OSC Report of Interview of Baltimore Special Agent-1 on Dec. 18, 2020 at 1.

<sup>775</sup> OSC Report of Interview of Baltimore Special Agent-2 on Aug. 13, 2020 at 1.

<sup>776</sup> *Id.* at 2.

recommendations to mitigate CHS issues. One supervisor in the VMU noted that it rarely recommended closure of sources out of a general fear that the field offices would largely be unreceptive to important recommendations designed to enhance source handling issues if the VMU recommended closure of a source.<sup>777</sup> In addition to the serious concern about the prior unresolved counterespionage investigation, the VMU also highlighted numerous problematic areas that warranted attention. For example, Danchenko's background and employment history had noted inconsistencies and omissions; his assessed motivation for providing information to the FBI had changed; his immigration applications omitted certain derogatory information and contained inconsistencies and falsehoods; and, despite his concerns for his personal safety, he traveled frequently to Russia before becoming a CHS. Danchenko also demonstrated knowledge of tradecraft and made contradictory statements, and much of the information he provided appeared to be hearsay that he was unable, despite requests, to validate. The VMU recommended several steps to mitigate these areas, such as administering a polygraph examination,<sup>778</sup> further controls on his reporting, and additional evaluation, but these did not occur. Instead, Helson and WFO ignored nearly all of the VMU's recommendations and continued to operate Danchenko as a CHS until WFO was ordered to close Danchenko in October 2020.<sup>779</sup> In total, the FBI paid Danchenko approximately \$220,000 during the 3.5 years that Danchenko was a CHS.<sup>780</sup> FBI counterintelligence personnel at WFO and in the Counterintelligence Division at FBI Headquarters opposed efforts to close Danchenko and delayed doing so. Moreover, the Office learned that the FBI proposed making continued future payments to Danchenko, totaling more than \$300,000, while the Office was actively

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<sup>777</sup> At the time the evaluation was prepared on Danchenko, it was the practice of the VMU not to recommend that a CHS be closed, but rather to make recommendations of things to be done in continuing to operate a source. OSC Report of Interview of Headquarters Supervisory Special Agent-2 on March 2, 2021 at 6-7; OSC Report of Interview of Headquarters Supervisory Analyst-1 on Dec. 8, 2020 at 8. The *CHS Policy Guide*, issued in 2021, now includes requirements that:

- The VMU is to “manage[] the FBI’s validation review processes” and “must determine what level of validation review is required for each CHS.” *CHS Policy Guide* § 20.1.1.
- The Assistant Director for Intelligence is to approve or deny the reopening of a CHS closed for cause. *Id.* § 18.3.1.
- The Directorate of Intelligence manages the Senior Review Board, whose function is to ensure “comprehensive review by senior FBI officials of the FBI’s highest-risk CHSs.” *See id.* § 20.5.1.

<sup>778</sup> The FBI uses a polygraph examination as a straightforward and practical way to assess a source’s motivations, allegiances, and vulnerabilities.

<sup>779</sup> OSC Report of Interview of Kevin Helson on Nov. 24, 2020 at 19; FBI-AAA-0019898 (Email from Headquarters Supervisory Special Agent-1 to Helson & others dated 10/29/2020).

<sup>780</sup> SCO-105237 (Source Closing Communication dated 10/29/2020).

investigating this matter, which would have been in addition to the \$220,000 he had already received.<sup>781</sup>

It is extremely concerning that the FBI failed to deal with the prior *unresolved* counterespionage case on Danchenko. Given Danchenko's known contacts with Russian intelligence officers and his documented prior pitch for classified information, the Crossfire Hurricane team's failure to properly consider and address the espionage case prior to opening Danchenko as a CHS is difficult to explain, particularly given their awareness that Danchenko was the linchpin to the uncorroborated allegations contained in the Steele Reports.

Despite the FBI's awareness of (i) there being significant issues relating to conflicts between what Danchenko had reported to the FBI in January 2017 and thereafter as a paid CHS and what Steele, a long term paid CHS of the FBI, had stated in the "Company Intelligence" reports he provided to the FBI (and others), (ii) Danchenko's troubling history regarding a prior unresolved espionage matter, and (iii) a CHS validation report that raised various red flags concerning Danchenko, the counterintelligence executive managers at the WFO and FBI Headquarters resisted efforts to have Danchenko closed as a source. Instead, management supported continued payments to him, requiring FBI Headquarters approval, of sizable amounts of money and insisted that Danchenko was very valuable to the FBI's counterintelligence program. Interviews conducted by the Office revealed, however, that the Assistant Directors for Counterintelligence in WFO and FBI Headquarters, as well as the FBI's Executive Assistant Director for National Security, made clear that they were not even able to accurately describe the value or contributions of Danchenko that would justify keeping him open, much less making hundreds of thousands of dollars in payments to him. Indeed, the Assistant Director for Counterintelligence at FBI Headquarters thought Danchenko was being paid for information he was providing that corroborated the Steele Dossier reporting, which, of course, was not the case because Danchenko never produced any such evidence.

By (i) ignoring the significance of Danchenko's prior status as a subject of a counterespionage investigation, (ii) failing to resolve the conflict between that history and his role as primary sub-source for the Steele reporting, and (iii) failing to follow through on VMU's recommendations for continued operation of Danchenko as a CHS, Helson and the Counterintelligence Division missed another opportunity to make any needed course corrections to Crossfire Hurricane and in the use of Danchenko as a CHS.

d. Danchenko's relationship with Charles Dolan

When interviewed by the FBI in June 2017, Danchenko failed to disclose the role a U.S.-based individual named Charles Dolan played in the reporting Danchenko provided for inclusion in the Steele Reports. In particular, Danchenko denied that Dolan provided any specific information contained in the Steele Reports.<sup>782</sup> However, Dolan acknowledged to the Office that he provided information to Danchenko related to Paul Manafort's firing as Trump campaign

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<sup>781</sup> SCO-105290 (Request for required expenses and lump sum payment Electronic Communication dated 10/21/2020).

<sup>782</sup> *Danchenko* Government Exhibit 171T.

manager.<sup>783</sup> Dolan further admitted to the Office that this allegation, which appears in Steele Report 2016/105, was fabricated.<sup>784</sup>

As discussed in a previous section, during the October 3, 2016 Rome meeting, Steele provided the FBI with the names of four U.S.-based individuals who might have information on Trump's connections to Russia. Three of the names provided by Steele were Washington, D.C.-based individuals Charles Dolan, U.S. Person-1 and U.S. Person-2.<sup>785</sup> An FBI report of a September 18<sup>th</sup> and 19<sup>th</sup> 2017 interview of Steele cryptically mentioned that Danchenko had drinks with Dolan, but the report included no further information on that topic.<sup>786</sup> In the same interview, however, Steele also stated that Dolan could have been the "American political figure associated with Donald Trump and his campaign"<sup>787</sup> referenced in the following paragraph of Steele Report 2016/105:

Speaking separately, also in late August 2016, an American political figure associated with Donald TRUMP and his campaign outlined the reasons behind Paul Manafort's recent demise. S/he said it was true that the Ukraine corruption revelations had played a part in this, but also, several senior players close to TRUMP had wanted Manafort out, primarily to loosen his control on strategy and policy formulation. Of particular importance in this regard was Manafort's predecessor as campaign manager, Corey Lewandowski, who hated Manafort personally and remained close to TRUMP with whom he discussed the presidential campaign on a regular basis.<sup>788</sup>

The following section discusses in greater detail Dolan's role in the Steele reporting and his relationship with Danchenko.

*i. Charles Dolan*

Charles Dolan is a public relations professional who in 2016 was employed by a Washington, D.C.-based public relations firm called kglobal.<sup>789</sup> In addition to his work as a public relations professional, Dolan had previously served as (i) Executive Director of the Democratic Governors Association, (ii) Virginia Chairman of former President Clinton's 1992 and 1996 presidential campaigns, and (iii) an advisor to Hillary Clinton's 2008 presidential

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<sup>783</sup> *Danchenko* Tr. 10/13/2022 AM at 616:3-621:22.

<sup>784</sup> *Danchenko* Tr. 10/13/2022 AM at 621:23-624:4.

<sup>785</sup> SCO-020139 (Email from Auten to Supervisory Special Agent-1, Moffa, & Strzok dated 10/04/2016) at 2.

<sup>786</sup> SCO-006313 (Interview of Christopher Steele on Sept. 18, 2017) at 3.

<sup>787</sup> *Id.* at 17.

<sup>788</sup> SCO-105084 (Documents Known to the FBI Comprising the "Steele Dossier") at 18-19, (Company Intelligence Report 2016/105) (capitalization in original).

<sup>789</sup> *Danchenko* Tr. 10/13/2022 AM at 596:22-597:1; OSC Report of Interview of Charles Dolan on Aug. 31, 2021 at 1.

campaign.<sup>790</sup> Moreover, beginning in 1997, President Clinton appointed Dolan to two four-year terms on the State Department's U.S. Advisory Commission on Public Diplomacy.<sup>791</sup> With respect to the 2016 Clinton campaign, Dolan described himself as a "door to door" guy in New Hampshire who did not hold any significant position.<sup>792</sup>

ii. *Dolan's connections to the Kremlin*

In his role as a public relations professional, Dolan spent much of his career interacting with Eurasian clients with a particular focus on Russia. For example, from approximately 1999 through 2004-2005, Dolan was employed by global public relations firm Ketchum Inc. where he assisted with Ketchum's representation of the Russian Federation.<sup>793</sup> Part of Dolan's responsibility on the Russian Federation account consisted of, among other things, monitoring current policy discussions of U.S.-based think tanks and reporting back to the Russian government.<sup>794</sup> Dolan also assisted in media consulting and press operations for the 2006 G8 Summit held in St. Petersburg, Russia.<sup>795</sup> As a senior member of Ketchum's Russian Federation team, Dolan frequently interacted with Russian government officials, including, most importantly, Dimitry Peskov, Press Secretary of the Russian Presidential Administration, and Alex Pavlov, Deputy Press Secretary of the Presidential Administration.<sup>796</sup> Peskov has often been described in media reports as Russian President Putin's "right-hand man."<sup>797</sup> As discussed more below, both Peskov and Pavlov would subsequently feature prominently in the Steele Reports.<sup>798</sup> Additionally, Dolan maintained relationships with Sergei Kislyak, who served as Russian Ambassador to the United States from 2008-2017, and Mikhail Kalugin, the head of the Russian Embassy's Economic Section in Washington, D.C. from 2010-2016. Both Kislyak and Kalugin would also feature prominently in the Steele Reports.<sup>799</sup>

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<sup>790</sup> *Danchenko* Tr. 10/13/2022 AM at 590:6-592:12; OSC Report of Interview of Charles Dolan on Aug. 31, 2021 at 1.

<sup>791</sup> SCID\_00013647 (Charles Dolan kglobal biography).

<sup>792</sup> OSC Report of Interview of Charles Dolan on Nov. 1, 2021 at 1.

<sup>793</sup> OSC Report of Interview of Charles Dolan on Aug. 31, 2021 at 1-2; *Danchenko* Tr. 10/13/2022 AM at 592:14-593:14.

<sup>794</sup> OSC Report of Interview of Charles Dolan on Aug. 31, 2021 at 1-2.

<sup>795</sup> *Id.*

<sup>796</sup> OSC Report of Interview of Charles Dolan on Aug. 31, 2021 at 2; *Danchenko* Tr. 10/13/2022 AM at 593:18-594:21.

<sup>797</sup> Mick Krever, *Putin Aide Predicts Relations 'Renaissance' . . . If Russian 'National Interests' Respected*, CNN (Feb. 27, 2015).

<sup>798</sup> Annotated Steele Dossier at 3, 4, 8, 9, 19, 20.

<sup>799</sup> *Id.* at 15, 19.

iii. *Dolan is introduced to Danchenko in early 2016*

In March 2016, Brookings Fellow-1 introduced Dolan to Danchenko in connection with a potential business opportunity.<sup>800</sup> Specifically, Danchenko had reached out to Brookings Fellow-1 in an attempt to broker business between a U.S.-based public relations firm and his longtime friend, Olga Galkina, an executive at a Cyprus-based computer firm named Servers.com.<sup>801</sup> Danchenko would later inform the FBI that Galkina served as a source of information for allegations contained in the Steele Reports.<sup>802</sup> Brookings Fellow-1 subsequently connected Danchenko and Dolan to discuss a possible business venture between Dolan and Servers.com. In March 2016, Danchenko brokered a meeting between Dolan (and his firm kglobal) and Galkina to discuss a potential business arrangement between kglobal and Servers.com, the latter of which was attempting to enter the U.S. marketplace.<sup>803</sup> Dolan was joined at this meeting by a Washington-based lobbyist (“U.S. Person-2”) with whom Dolan had previously worked<sup>804</sup> – and who Steele would later name along with Dolan as a possible source for information on Trump/Russia connections.

Dolan and kglobal would ultimately enter a contractual relationship with Servers.com.<sup>805</sup> As discussed in detail below, Dolan traveled to Cyprus on two occasions in the summer of 2016 to meet with Galkina, Aleksej Gubarev (the principal of Servers.com) and other executives at Servers.com.<sup>806</sup> As a result of this collaboration, Dolan and Danchenko continued to communicate through the Spring of 2016.

In late April 2016, Dolan and Danchenko engaged in separate discussions regarding a potential business collaboration between kglobal and Orbis. For example, on April 29, 2016, Danchenko sent an email to Dolan indicating that Danchenko had passed a letter to Christopher Steele on behalf of Dolan.<sup>807</sup> Specifically, the email sent to Dolan stated that Danchenko had “forwarded your letter” to Steele and Steele’s business partner, Christopher Burrows. The email continued, “I’ll make sure you gentlemen meet when they are in Washington, or when you are in London.” That same day, Danchenko sent an email to Dolan outlining certain work that

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<sup>800</sup> OSC Report of Interview of Charles Dolan on Aug. 31, 2021 at 2; SCID\_00007741 (Email from Danchenko to Dolan dated 03/08/2016).

<sup>801</sup> SCID\_00007741 (Email from Danchenko to Dolan dated 03/10/2016). According to their website, Servers.com provides access to computer servers in data centers throughout the world.

<sup>802</sup> SCO-005801 (Interview of Igor Danchenko Electronic Communication dated 02/09/2017) at 16.

<sup>803</sup> SCID\_00007741 (Email from Danchenko to Dolan dated 03/10/2016); SCID\_00017834 (Email from Galkina to Dolan, U.S. Person-2 on 03/24/2016).

<sup>804</sup> OSC Report of Interview of Charles Dolan on Aug. 31, 2021 at 3

<sup>805</sup> *Id.*

<sup>806</sup> *Id.*

<sup>807</sup> SCID\_00006415 (Email from Danchenko to Dolan dated 04/29/2016).

Danchenko was conducting for Orbis. The email attached an Orbis report titled “Intelligence Briefing Note, ‘Kompromat’ and ‘Nadzor’ in the Russian Banking Sector.”<sup>808</sup>

Beginning in early 2015, a Washington, D.C.-based lawyer and acquaintance of Dolan, (“U.S. Person-1”) informed Dolan that he was planning a business conference for October 2016 in Moscow.<sup>809</sup> The conference, titled “Inside the Kremlin,” was being sponsored by the Young President’s Organization, and was designed to introduce senior international business executives to potential investment opportunities in Russia (the “YPO Conference”).<sup>810</sup> To that end, the YPO Conference was to include individuals who could provide insight into the economic, political, diplomatic and cultural aspects of the Russian Federation. The YPO Conference was to be held at the Ritz Carlton hotel in Moscow.<sup>811</sup> U.S. Person-1 enlisted Dolan to participate in the YPO conference because of Dolan’s access to senior Russian government officials and his ability to provide analysis of the approaching 2016 U.S. presidential election.<sup>812</sup>

In April 2016, Dolan asked Danchenko to assist Dolan and U.S. Person-1 with the YPO conference, which Danchenko agreed to do.<sup>813</sup> Dolan believed that Danchenko’s language skills and his supposed contacts in the Russian government would be of assistance to the conference.<sup>814</sup> Dolan subsequently asked and received permission from U.S. Person-1 to enlist Danchenko to assist with logistics, provide translation services, and present on various relevant topics at the YPO Conference.<sup>815</sup> In preparation for the YPO Conference, Dolan and U.S. Person-1 planned to travel to Moscow in June 2016 to view the Ritz Carlton and other potential sites for the conference (the “June Planning Trip”).<sup>816</sup> At the same time, Danchenko informed Dolan that he (Danchenko) would be present in Moscow in June on other business.<sup>817</sup>

On April 30, 2016, Dolan sent an email to a U.S.-based acquaintance and stated, in part, the following:

Waiting on confirmation for meetings with the Kremlin. If all goes well I will probably leave on the 9th [June] and stop in London to meet with these intelligence guys (another potential project but nothing certain) and leave on the 10th for Moscow and stay for the week.<sup>818</sup>

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<sup>808</sup> SCID\_00016038 (Email from Danchenko to Dolan, U.S. Person-2 dated 04/29/2016).

<sup>809</sup> SCID\_00017536 (Email from U.S. Person-1 to Dolan, others dated 02/11/2015).

<sup>810</sup> SCID\_00014254 (Email from Dolan to U.S. Person-1 dated 02/12/2015).

<sup>811</sup> SCID\_00017536 (Email from U.S. Person-1 to Dolan, others dated 02/11/2015) at 2.

<sup>812</sup> OSC Report of Interview of U.S. Person-1 on Apr. 13, 2021 at 1-2.

<sup>813</sup> SCID\_00014427 (Email from Dolan to Danchenko dated 04/11/2016); SCID\_00015922 (Email from Danchenko to Dolan dated 04/22/2016).

<sup>814</sup> *Danchenko* Tr. 10/13/2022 AM at 610:23 – 611:3.

<sup>815</sup> *Danchenko* Tr. 10/13/2022 AM at 611:4-8; 640:1-641:15.

<sup>816</sup> SCID\_00016172 (Email from U.S. Person-1 to Dolan, others dated 05/21/2016).

<sup>817</sup> SCID\_00006540 (Email from Danchenko to Dolan dated 06/03/2016).

<sup>818</sup> SCID\_00004759 (Email from Dolan dated 04/30/2016).

In his interviews with the Office, Dolan denied meeting with Steele.<sup>819</sup> Travel records confirm that Dolan did not travel to London prior to the June Planning Trip.<sup>820</sup> In fact, the Office was not able to find any definitive evidence to indicate that Dolan ever met with Steele.

To further prepare for the YPO Conference, in May, July, and October 2016, Dolan and U.S. Person-1 attended at least three meetings at the Russian Embassy in Washington, D.C., and communicated with Russian Embassy staff, including Ambassador Sergei Kislyak and the Head of the Economic Section, Mikhail Kalugin.<sup>821</sup> As noted above, both Kislyak and Kalugin would feature prominently in the Steele Reports. Danchenko was not present at any of these meetings.

In anticipation of the June Planning Trip to Moscow, Dolan attempted to communicate with Press Secretary Peskov and Deputy Press Secretary Pavlov, as well as former Russian President and then-Prime Minister Dmitry Medvedev.<sup>822</sup> Dolan had previously attended several lunches with Medvedev when he (Dolan) served as an advisor to the Valdai Club in connection with his work at Ketchum.<sup>823</sup> (The Valdai Club is a Moscow-based think tank that is closely associated with Russian President Putin and is viewed by many in the West as a vehicle for Russian propaganda). In May 2016, Dolan reached out to Medvedev's Press Secretary to have Medvedev speak at the YPO Conference.<sup>824</sup>

When interviewed by the FBI in September 2017, Steele noted that his primary sub-source (Danchenko) has sub-sources who had access to Dmitry Peskov.<sup>825</sup> In particular, Steele stated that information in the Reports involving Peskov stemmed from a "friend of a friend" of his primary sub-source (Danchenko).<sup>826</sup> Later in the interview, Steele informed the FBI that his primary sub-source had a sub-source who had contact with Alexey Pavlov and had conversations with Pavlov about Peskov.<sup>827</sup> Steele told the FBI that this unidentified source was close to then-Russian Prime Minister Dmitry Medvedev.<sup>828</sup> (As discussed above, Dolan claimed to have met Medvedev on several occasions.) Steele also stated that his primary sub-source (Danchenko)

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<sup>819</sup> OSC Report of Interview of Charles Dolan on Aug. 31, 2021 at 6.

<sup>820</sup> U.S. Customs and Border Protection Person Encounter List for Charles Dolan at 1.

<sup>821</sup> SCID\_00016319 (Email from U.S. Person-1 to Dolan, Kalugin, others dated 05/31/2016); SCID\_00016626 (Email from U.S. Person-1 to Dolan, others dated 07/15/2016); SCID\_00017124 (Email to Kalugin, U.S. Person-1, Dolan, others dated 10/14/2016).

<sup>822</sup> SCO-005678 (Email from Dolan dated 06-03-2016); OSC Report of Interview of Charles Dolan on Sept. 7, 2021 at 2; SCID\_00001127 (Email from Dolan to U.S. Person-1 dated 09/30/2016); SCID\_00000633 (Email from Dolan to U.S. Person-1 dated 06/03/2016); SCID\_00014550 (Letter from Dolan dated May 19, 2016).

<sup>823</sup> KG\_0002092 (Email from Dolan dated 12/28/2017).

<sup>824</sup> SCID\_00014550 (Letter from Dolan dated 05/19/2016).

<sup>825</sup> SCO-006313 (Interview of Christopher Steele on Sept. 18, 2017) at 6.

<sup>826</sup> *Id.* at 7.

<sup>827</sup> *Id.* at 15.

<sup>828</sup> *Id.*

would meet Pavlov for drinks when he (the primary sub-source) traveled to Russia.<sup>829</sup> However, as discussed more fully below, the Office found no information to indicate that Danchenko maintained a relationship with Pavlov.

On June 10, 2016, before traveling abroad, Dolan sent an email to a U.S.-based acquaintance reflecting that Dolan and Danchenko had become colleagues. Dolan stated in part:

On Monday night I fly to Moscow and will meet with a Russian guy [Danchenko] who is working with me on a couple of projects. He also works for a group of former MI 6 guys in London who do intelligence for businesses. Send me your questions and I'll pass them on to Igor. He owes me as his Visa is being held up and I am having a word with the Ambassador.<sup>830</sup>

Shortly thereafter, Dolan sent another email to the U.S.-based acquaintance. In describing Danchenko, Dolan stated: "He is too young for KGB. But I think he worked for FSB. Since he told me he spent two years in Iran. And when I first met him he knew more about me than I did. [winking emoticon]."<sup>831</sup> (The Federal Security Service of the Russian Federation, or "FSB" is the principal security agency of Russia and principal successor agency to the KGB.) When interviewed by the Office, Dolan stated that he was "speculating" about Danchenko's connections to Russian intelligence, and that he was "half joking and half serious."<sup>832</sup>

Dolan was scheduled to be in Moscow for the June Planning Trip from June 13-18, 2016. In connection with the June Planning Trip, Dolan decided to first travel to Cyprus to meet with executives from Servers.com.<sup>833</sup> Dolan departed Washington, D.C. on June 9th, arrived in Moscow on the morning of June 10th, and departed for Cyprus later that afternoon.<sup>834</sup> While in Cyprus, Dolan met with Galkina, Gubarev and the other executives at Servers.com's offices.<sup>835</sup> Dolan then left Cyprus on June 13th and flew to Moscow to attend the June Planning trip.<sup>836</sup>

During the June Planning Trip, Dolan and U.S. Person-1 stayed at the Ritz Carlton in Moscow.<sup>837</sup> On June 14th, Danchenko, who as noted above was already present in Moscow, met Dolan for lunch at a restaurant in Moscow.<sup>838</sup> Dolan and Danchenko took a photograph together in front of the Kremlin, which was later posted by Danchenko on Facebook.<sup>839</sup> According to Dolan, this was the only time he encountered Danchenko on the June Planning Trip, and

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<sup>829</sup> *Id.* at 14.

<sup>830</sup> SCID\_00000732 (Email from Dolan dated 06/10/2016).

<sup>831</sup> SCID\_00000735 (Email from Dolan dated 06/10/2016).

<sup>832</sup> OSC Report of Interview of Charles Dolan on Sept. 7, 2021 at 1.

<sup>833</sup> SCID\_00000653 (Email from Dolan to Galkina dated 06/01/2016).

<sup>834</sup> SCID\_00000726 (Email from Dolan to U.S. Person-1 dated 06/08/2016).

<sup>835</sup> SCID\_00008141 (Email from Galkina to Dolan dated 06/13/2016).

<sup>836</sup> SCID\_00000653 (Email from Dolan to Galkina dated 06/01/2016).

<sup>837</sup> SCID\_00041378 (Email to Dolan dated 06/09/2016).

<sup>838</sup> SCID\_00000787 (Email from Dolan to U.S. Person-1 dated 06/14/2016).

<sup>839</sup> *Danchenko* Government Exhibit 605.

Danchenko did not stay at the Ritz Carlton during the June Planning Trip – a fact that was confirmed by hotel records.<sup>840</sup>

While in Moscow, Dolan and U.S. Person-1 participated in, among other things, (i) a meeting with the German-national general manager of the Ritz Carlton, and at least one female hotel staff member to discuss the logistics of the YPO Conference, (ii) a lunch with the general manager and three hotel staff members who assisted in the preparations for the YPO conference, and (iii) a tour of the hotel.<sup>841</sup>

Dolan told the Office that during the June Planning Trip he met with two deputies from the Russian Presidential Administration Press Office (Dimitry Peskov's Office).<sup>842</sup> According to Dolan, Danchenko was not present for any events at the Ritz Carlton during the June Planning Trip and was not present for his meeting with the deputies from the Press Office.<sup>843</sup> As discussed in detail below, the general manager and other hotel staff members would later appear in the Steele Reports.

On June 15, 2016, Dolan emailed an acquaintance from Moscow: "I'm in Russia making plans to be adopted in the event this mad man [Trump] gets elected."<sup>844</sup> On June 18, 2016, Dolan returned to Washington, D.C.<sup>845</sup>

*iv. Trump's alleged salacious sexual activity at the Ritz Carlton Moscow appears in a Steele Report*

On June 17, 2016, Danchenko flew from Moscow to London and met with Christopher Steele on the following day.<sup>846</sup> Three days later, in Steele Report 2016/080 dated June 20, 2016, an allegation appeared that described salacious sexual activity that Trump allegedly had participated in while a guest at the Ritz Carlton Moscow. The allegation stated, in part:

According to Source D, where s/he had been present, TRUMP's (perverted) conduct in Moscow included hiring the presidential suite of the Ritz Carlton, where he knew President and Mrs OBAMA (whom he hated) had stayed on one of their official trips to Russia, and defiling the bed where they had slept by employing a number of prostitutes to perform 'golden showers' (urination) shows in front of him. The hotel was known to be under FSB control with microphones and concealed cameras in all the main rooms to record anything they wanted to.

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<sup>840</sup> OSC Report of Interview of Charles Dolan on Aug. 31, 2021 at 5.

<sup>841</sup> OSC Report of Interview of U.S. Person-1 on Apr. 13, 2021 at 3; OSC Report of Interview of Charles Dolan on Aug. 31, 2021 at 5-6.

<sup>842</sup> OSC Report of Interview of Charles Dolan on Nov. 1, 2021 at 2.

<sup>843</sup> *Id.* at 2.

<sup>844</sup> KG\_0003739 (Email from Dolan dated 06/15/2016).

<sup>845</sup> SCID\_00000726 (Email from Dolan to U.S. Person-1 dated 06/08/2016).

<sup>846</sup> SCO-007286 (Danchenko Facebook messages dated 06/16 to 06/17/2016); SCO-016761 (Facebook message from Danchenko to Galkina dated 06/18/2016); OIG interview of Christopher Steele on June 5 & 6, 2019 at 45.