

Page made no such statement to CHS-1. Although there was brief discussion by the two about Secretary of State nominee Rex Tillerson's relationship with Sechin,<sup>1242</sup> and the accusation made by Senator Harry Reid that Page had purportedly met with Sechin, which was referenced in a recent *Washington Post* column by Josh Rogin,<sup>1243</sup> Page never advised CHS-1 that he had met with Sechin on a recent post-election trip to Russia. As noted above, Supervisory Special Agent-1 told Case Agent-1 that they needed to listen to the audio of the recording. If, in fact, the Crossfire Hurricane investigators listened to the recording, they either missed this fact or elected not to make it known to the OI lawyers with whom they were working on the Page FISA applications.<sup>1244</sup> In either event, CHS-1's misstatement of an important fact was significant in that information provided to the FBI by CHS-1, again according to Case Agent-1, regarding his conversations with Page was used in all four of the Page FISA applications.

vii. *The first renewal of the Page FISA Warrant surveillance order*

Less than a month after the third recorded meeting between Page and CHS-1, the FBI received authorization from the FISC to continue its surveillance of Page for an additional 90 days. The renewal application, like the application to initiate the surveillance, included misrepresentations and mischaracterizations of the recorded conversations. Additionally, the same errors that were contained in the first FISA application were repeated in the renewal application. As noted in the *OIG Review*, the failure to correct these errors in the first FISA renewal application was repeated in the second and third renewal applications.<sup>1245</sup> Specifically, the *OIG* noted that the first renewal application omitted information the FBI had received from persons who previously had professional interactions with Steele and who in part questioned both his judgment and his pursuit of individuals with political risk, but no intelligence value.<sup>1246</sup> Moreover, as noted later in the *OIG Review*, another significant error in the renewal applications was the omission of a recorded statement made to a second FBI CHS ("CHS-2") by Papadopoulos. In that recorded conversation, Papadopoulos expressly denied any knowledge of the Trump campaign's involvement in the circumstances surrounding the hack of the DNC computers.<sup>1247</sup>

In addition to those defects, the first renewal application included mischaracterizations about the details of the December 15, 2016, meeting between Page and CHS-1. In particular, it mischaracterized the nature of their discussions concerning the creation of a potential think tank

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<sup>1242</sup> Transcript of conversation between Carter Page and CHS-1 on 12/15/2016 at 17-18.

<sup>1243</sup> *Id.* at 44-45. This is the allegation that had been referenced in a recent *Washington Post* column by Josh Rogin.

<sup>1244</sup> No records were provided to the Office by the FBI which reflect that the recording had been reviewed and its specific contents were shared with the Department of Justice lawyers working on the Page FISA; *see also FBI Inspection Division Report* at 217 (reflecting that the recording was not reviewed and the investigating agents relied on the CHS's erroneous report of the conversation).

<sup>1245</sup> *See Redacted OIG Review* at xi, 413.

<sup>1246</sup> *See id.* at 182.

<sup>1247</sup> *Id.* at xi-xii.

focusing on Russian relations with the West. An objective reading of the transcript and review of the recordings of the two conversations between Page and CHS-1 on this subject in both the October 17, 2016 meeting and the December 15, 2016 meeting reflect that, although the two engaged in a general discussion about the possibility of establishing such an entity, neither discussed the specific details that would be required for such a project to move forward.<sup>1248</sup> Further, although they generally discussed the possible location of the think tank and possible sources of funding, the renewal application asserted that, “[A]ccording to more recent reporting from [CHS-1] . . .” in the December meeting, “[CHS-1] asked Page for additional information regarding the financials for the proposed think tank. According to [CHS-1], Page initially attempted to distance the think tank from Russian funding. When [CHS-1] reminded Page of his previous statement regarding the ‘open checkbook,’ Page did not refute his previous comment and provided some reassurance to [CHS-1] about the likelihood of Russian financial support.”<sup>1249</sup> That assertion, based on the language in the application, perhaps was premised on information provided to the Crossfire Hurricane investigators by CHS-1, rather than the actual words spoken by Page as captured in CHS-1’s recordings of the meetings. As provided to the FISC, however, the assertion is an inaccurate representation of the conversation. As noted above, when CHS-1 stated to Page, “[y]ou said the Russians are giving you a blank check,” Page immediately responded, “[W]ell I, I don’t know that I went that far. I-I-I thought there was some support . . . .”<sup>1250</sup> The actual language used by Page is inconsistent with CHS-1’s assertion to Page that Page had been promised a “blank check” by the Russians. The assertion in the FISA application was, at a minimum, incomplete.

The first renewal application also stated that the FBI assessed that Page’s attempts to downplay Russian funding may have been an attempt by him to soften his connection to Russia or, alternatively, may have been the result of an instruction from the Russians not to discuss any possible Russian financial involvement.<sup>1251</sup> There is nothing in the actual conversation between the two men, however, that would give rise to such an assessment. A fair and objective reading of the actual conversation indicates that the source of funding, if any, by the Russians was undetermined, and as also noted above,<sup>1252</sup> according to Page, subject to Page submitting a written proposal. And as previously noted, during this discussion with CHS-1, Page also mentioned that “some people have warned me, be careful with having too much Russian connection for obvious reasons.”<sup>1253</sup> Instead of including Page’s verbatim statements regarding Russian funding in the application, the FISA application makes assertions about funding that are at odds with what Page actually told CHS-1 as reflected in the recording of the meeting.

Moreover, the renewal application was submitted to the FISC only three weeks after Case Agent-1’s conversations with Supervisory Special Agent-1 and Analyst-1 regarding CHS-

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<sup>1248</sup> See *supra* footnotes 1221, 1222 re 10/17/2016 transcript and footnotes 1233 - 1237 re 12/15/2016 transcript.

<sup>1249</sup> *In re Carter W. Page*, Docket No. 17-52, at 35 (FISC Jan. 12, 2017).

<sup>1250</sup> See *supra* footnote 1235.

<sup>1251</sup> *In re Carter W. Page*, No. 17-52, at 35-36.

<sup>1252</sup> See *supra* footnote 1235.

<sup>1253</sup> See *supra* footnote 1236.



l's misstatement that Page had advised CHS-1 that he (Page) had met with Sechin during a post-election trip to Russia. Because of their apparent skepticism about this claim by CHS-1, this issue should have been brought to the attention of the OI attorneys working on the application, as well as the FISC. However, the Office found no evidence that it was appropriately addressed.<sup>1254</sup>

In a number of instances, the Page FISA applications relied on "assessments" to address what otherwise appeared to be plainly exculpatory statements by Page. Because of the sensitive and classified nature of those portions of one or more of the FISA applications, review of those assessments is set forth in the Classified Appendix to this report.

*viii. The fourth recording of Page made by CHS-1 January 25, 2017*

On January 25, 2017, less than two weeks after the first renewal of the Page FISA surveillance order was granted, CHS-1 met with and recorded Page for the fourth and final time. Importantly, on January 10, 2017, *Buzzfeed News* had published the contents of the Steele Reports. The next day, the *Wall Street Journal* identified "former British MI-6 Intelligence Officer Christopher Steele" as the author of the Reports.<sup>1255</sup> Unsurprisingly, the Reports were a topic of conversation as Page and CHS-1 began their fourth meeting. In response to Page's inquiry as to whether CHS-1 knew "[S]teele . . . the MI-6 guy," CHS-1 responded, "No, I never did. I never met him."<sup>1256</sup> Page then speculated that former MI-6 Director Richard Dearlove, who had attended the same July 2016 gathering that Page and CHS-1 had attended,<sup>1257</sup> must have known Steele. CHS-1 responded, "[Y]eah, Dearlove would know him. I mean Dearlove knew any-everybody in Six, and Six is a small organization."<sup>1258</sup> CHS-1 went on to state that, "[h]e [Steele] certainly produced [laughing] electrifying memoranda, didn't he?" Page responded, "[W]ell, you know. I mean, it's-it's just so false that where [Background Noise] do you begin [Unintelligible]?"<sup>1259</sup> This exchange contained yet another denial by Page of the allegations made about him in the Steele Reports, but this specific denial was never brought to the attention of the FISC in the second and third renewal applications for the Page FISA surveillances.<sup>1260</sup>

During this fourth recorded conversation, Page complained to CHS-1 about being under surveillance by the FBI, comparing his plight to that faced by Martin Luther King, Jr. who had

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<sup>1254</sup> A review conducted by the Office of various documents, including the first FISA renewal application, the *OIG Review*, and documented interviews of FBI and OI personnel conducted by the Office, do not indicate that the information provided by CHS-1, as allegedly related to him by Page, regarding an alleged Page-Sechin meeting, was discussed beyond the two Lync message exchanges involving FBI employees Case Agent-1, Supervisory Special Agent-1, and Analyst-1 discussed above.

<sup>1255</sup> Bradley Hoe, Michael Rothfeld, and Alan Cullison, *Christopher Steele, Ex- British Intelligence Officer, Said to Have Prepared Dossier on Trump*, Wall St. Journal, (Jan. 11, 2017).

<sup>1256</sup> Transcript of conversation between Carter Page and CHS-1 on 01/25/2017 at 6.

<sup>1257</sup> *Id.* at 7.

<sup>1258</sup> *Id.*

<sup>1259</sup> *Id.*

<sup>1260</sup> *In re Carter W. Page*, Docket No.17-375 (FISC April 7, 2017); *In re Carter W. Page*, No.17-679 (FISC June 29, 2017).

been under FBI surveillance during the time that J. Edgar Hoover served as FBI Director. Page informed CHS-1 that both he and King were under surveillance for exercising their constitutional rights of freedom of speech and freedom of expression.<sup>1261</sup>

Later, CHS-1 again turned the conversation to a discussion of the establishment of the possible think tank focused on relations between Russia and the West and the finances related to such an endeavor.<sup>1262</sup> CHS-1 told Page:

CHS-1: [A]nd I think that if you could bring some Russian money to the table, uh, I might be able to help you get some U.S. money.

Page: Uhm-hum.

CHS-1: That could be useful. You know?<sup>1263</sup>

Shortly thereafter, CHS-1 raised the think tank issue again, and the following exchange occurred:

CHS-1: [I] think the real issue you have to deal with is the decision whether you want to create a think tank, and, you know, once you make that decision then we could talk about money and personnel, but you should take your time and-and think carefully...

Page: ...[h]ere's the problem with taking the time. And this is why I'm kind of anxious and this is my conversation last month in Moscow. The momentum is building, you know. The Cold War sort of—you know like [UI] it's people trying to show that they're not un-American.<sup>1264</sup>

Later in the conversation, Page indicated to CHS-1 that he believed the Russians were “[f]ully on board. But the question is, you know, the who, whats, whys, when and hows, you know?”<sup>1265</sup>

CHS-1 and Page then discussed possible dollar amounts for starting the think tank, with each discussing finding sponsors to share in the cost. Page initially suggested \$1 million, and CHS-1 suggested he/she did not think that he/or she (CHS-1) could raise even a million “bucks,” but said to Page:

CHS-1: [U]h, if they [referring to the Russians] could come up with a million and you could tell them that you could keep the doors open for a year with that, and then I could try to find whatever I can get to add to it.<sup>1266</sup>

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<sup>1261</sup> Transcript of conversation between Carter Page and CHS-1 on 01/25/2017 at 21-22.

<sup>1262</sup> *Id.* at 25.

<sup>1263</sup> *Id.*

<sup>1264</sup> *Id.* at 29-30.

<sup>1265</sup> *Id.* at 30.

<sup>1266</sup> *Id.* at 33.



A short time later, not hearing any firm commitment from Page regarding the establishment of the think tank, CHS-1 stated, “[I]’m just sort of blue skying here. I’m not trying to, you know, persuade you really to do this.”<sup>1267</sup>

The various discussions between Page and CHS-1 regarding the possible creation of the think tank occurred over the course of their four conversations. The first occurred, albeit briefly, in their first meeting on August 20, 2016, with more extensive discussions occurring in their three follow up meetings on October 17, 2016, December 15, 2016, and January 25. However, none of the conversations advanced the establishment of the think tank from the aspirational to the concrete. The FBI’s original language referring to the initial discussions between Page and CHS-1 regarding the think tank and the possibility of Russian funding did not change in the first three FISA applications (the original plus two renewal applications).<sup>1268</sup> However, some additional language regarding this issue was added in the final renewal application. In that application, the FBI wrote, “[B]ased on more recent information developed through its ongoing investigation of Page, the FBI now assesses that Page is no longer interested in establishing a think tank, likely due to lack of funding.”<sup>1269</sup>

Later in their January 25, 2017 conversation, Page again advised CHS-1 that the stories about him and Russia were false. Page stated that the “[f]alse evidence isn’t the fault of the Bureau . . . there’s been lots of reports the Bureau sort of pushed back on this. And the fact that they never contacted me says something as well.”<sup>1270</sup> Finally, Page told CHS-1 the following regarding the allegations against him:

Page: [Y]ou know, what a complete lie, what a complete sham.

CHS-1: But, you know—

Page: And this is the big fraud. . . . If you look at the narrative that was defined all around using government resources based on completely false evidence... and again false evidence is a crime.<sup>1271</sup>

Page subsequently told CHS-1, “Let’s see where this all started. This all started based on complete utter lies. Right?”<sup>1272</sup>

*ix. The second and third renewals of the Page FISA surveillance*

The Crossfire Hurricane investigators sought a second renewal of the FISA authorization, which was granted by the FISC in April 2017.<sup>1273</sup> While there was only one additional recorded conversation between Page and CHS-1 during the time between the first renewal of the FISA

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<sup>1267</sup> *Id.* at 34.

<sup>1268</sup> *In re Carter W. Page*, No. 16-1182, at 28; *In re Carter W. Page*, No. 17-52, at 30; *In re Carter W. Page*, No. 17-375, at 31.

<sup>1269</sup> *In re Carter W. Page*, No. 17-679, at 45.

<sup>1270</sup> Transcript of conversation between Carter Page and CHS-1 on 01/25/2017 at 41.

<sup>1271</sup> *Id.* at 42.

<sup>1272</sup> *Id.* at 43.

<sup>1273</sup> *In re Carter W. Page*, No. 17-375.

warrant and the second application for a renewal, there were several significant events that occurred in the Crossfire Hurricane investigation during that time. These included the five interviews that the FBI eventually conducted with Page in March 2017. As noted above, these interviews occurred nearly six months after Page wrote to Director Comey volunteering to be interviewed.<sup>1274</sup> Additionally, in late January 2017, the FBI conducted a three-day interview of Steele's primary sub-source, Igor Danchenko, who Steele relied heavily upon to gather information for inclusion in the Steele Reports.<sup>1275</sup> Finally, as discussed below, during that same approximate time period, the FBI made a series of recordings of conversations between a second CHS ("CHS-2") and Papadopoulos. The recordings were made in an effort to capture relevant information about the Australian communication that was the basis for opening Crossfire Hurricane.

At the expiration of the second FISA renewal authority, the Crossfire Hurricane investigators sought, and were granted, a third renewal of authority to conduct additional FISA surveillance of Page.<sup>1276</sup>

As noted previously, however, the Crossfire Hurricane investigators did not correct the errors, omissions, and misrepresentations that were contained in both the original FISA application and the first renewal application at the time they submitted the second and third renewal applications to the FISC.<sup>1277</sup> Moreover, additional significant problems were identified by the OIG (and also in a later investigation conducted by the FBI's Inspection Division)<sup>1278</sup> in the second and third renewal applications.<sup>1279</sup> One of the most significant problems relates to Page's recorded statements telling CHS-1 that he never met with Sechin or Divyekin, his public statements to the same effect, and his statements to the FBI during his five interviews, when compared to information provided to the FISC in the three renewal applications. Because of the sensitive and classified nature of those portions of one or more of the FISA renewal applications, review of this issue is necessarily contained in the Classified Appendix to this report.

*x. Recording of a high-level Trump campaign foreign policy advisor by CHS-1 on September 1, 2016*

In addition to the four recordings CHS-1 made of meetings with Page, CHS-1 also recorded a breakfast meeting he/she had in early September 2016 with a high-level Trump campaign foreign policy advisor ("Trump Senior Foreign Policy Advisor-1") who was not a

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<sup>1274</sup> Again, Page had volunteered to be interviewed by the FBI just two days after the publication of the *Yahoo! News* article in September 2016 identifying him as the subject of an FBI investigation.

<sup>1275</sup> According to Danchenko himself, he was responsible for gathering approximately 80% of the "intel" in the Steele reporting and producing approximately 50% of the analysis in those reports. *Danchenko Government Exhibit 1502*.

<sup>1276</sup> *In re Carter W. Page*, No. 17-679.

<sup>1277</sup> See *supra* footnotes 1228, 1231 and 1232.

<sup>1278</sup> See *FBI Inspection Division Report* at 367.

<sup>1279</sup> See *supra* footnotes 1249 and 1251 for errors specific to the first renewal application; see also *Redacted OIG Review* at xi-xii, 413



subject of the FBI's investigation. As CHS-1 had a background in policy development through his/her work in several Presidential administrations and campaigns, it was not unusual for CHS-1 to request a meeting with Trump Senior Foreign Policy Advisor-1. A prospective meeting between the two had been discussed beforehand during CHS-1's first meeting with Page, who encouraged CHS-1 to have such a meeting,<sup>1280</sup> and this meeting occurred approximately ten days after CHS-1 first met with Page.

FBI records reflect that, prior to the meeting, there had been discussions among FBI personnel about the sensitivities surrounding meeting with a high-level campaign figure and the need to ensure the conversation would remain focused on topics relevant to the main purpose of the Crossfire Hurricane investigation, namely whether there was evidence of collusion between Russian officials and persons associated with the Trump campaign. Those discussions also covered the possibility that the conversation between CHS-1 and the foreign policy advisor might digress into campaign strategy and tactics, with the FBI personnel involved in the discussions expressing concern that such topics were to be avoided if at all possible.<sup>1281</sup> (We note that Crossfire Hurricane investigators properly recognized that other sensitive topics unrelated to the Crossfire Hurricane investigation might come up in the conversation given CHS-1's background and Trump Senior Foreign Policy Advisor-1's position in the Trump campaign).<sup>1282</sup>

Although there were a number of topics covered by CHS-1 and Trump Senior Foreign Policy Advisor-1 that were unrelated to Crossfire Hurricane, they also discussed several matters that were directly relevant to the investigation.<sup>1283</sup> At one point during the conversation, CHS-1, while referencing his/her prior experience in Presidential campaigns, stated:

CHS-1: [W]e were accused of having an October surprise. What do you guys got going? You have WikiLeaks out there.

Advisor: We have a lot hanging over our head. September 13, State [Department] has to produce those emails, that's a big deal.

CHS-1: You can do something with that?

Advisor: Absolutely.<sup>1284</sup>

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<sup>1280</sup> Transcript of conversation between Carter Page and CHS-1 on 08/20/2016 at 98.

<sup>1281</sup> See *Redacted OIG Review* at 326-328.

<sup>1282</sup> *Id.* at 327 (wherein former AD Priestap told the OIG that "the team discussed the objectives of having the [CHS] engage with members of the Trump campaign... and the 'need to steer clear' of collecting campaign information 'dealing with policies, plans, staffing decisions, [or] anything related.' Priestap also said that 'it's not always possible...once people start talking' to a source to stay on point because the target of the operation may tell a source about the topic as well as a lot of additional information.")

<sup>1283</sup> The FBI did not transcribe the recording of this meeting so the references to the excerpts of the conversation that follow are identified by timestamp.

<sup>1284</sup> Audio recording of CHS-1 and Trump Senior Foreign Policy Advisor-1's conversation on 09/01/2016 at 09:14:15.

This portion of the conversation appears to have been intended to elicit information from Trump Senior Foreign Policy Advisor-1 about any knowledge the advisor had regarding WikiLeaks' disclosures of DNC-related emails and the Russians. Trump Senior Foreign Policy Advisor-1, however, did not touch on WikiLeaks in their response to CHS-1's question, instead focusing on a then-upcoming public release of former Secretary Clinton's emails by the State Department. Trump Senior Foreign Policy Advisor-1 told CHS-1 that the campaign could "absolutely" make use of those soon-to-be released documents. Trump Senior Foreign Policy Advisor-1's response to CHS-1's question about the WikiLeaks issue was not mentioned in any of the FISA applications even though the WikiLeaks disclosures, believed to have been facilitated by Russian intelligence services' intrusions into the DNC computers, were mentioned in all four FISA applications.<sup>1285</sup>

Later in their conversation, CHS-1 and Trump Senior Foreign Policy Advisor-1 briefly discussed WikiLeaks founder Julian Assange and then discussed possible Russian influence on the election. The following exchanges took place:

CHS-1: The front page of the New York Times is about Julian Assange. What can you do to offset their worry about Russian influence in the Trump campaign?

Advisor: To the average voter, it's a non-starter; in this city it's a big deal, New York big deal. From the perspective of the average voter, there is no connection.<sup>1286</sup>

\* \* \*

Advisor: ... about Russian influence, we need to raise the level of abstraction to discuss the security of a voter interaction. It is up to each state to provide security. Make sure every state has secured its system.<sup>1287</sup>

CHS-1: What I am concerned with is the impression that Russia has a hand in what we are doing. Carter [Page], for example, he made a speech in Moscow, I know you are familiar with, and there was a tilt in the speech that was alarming.<sup>1288</sup>

Advisor: It's important to you and me, but not the campaign, except to say no interference in our electoral process.<sup>1289</sup>

Although this portion of the recorded conversation covered topics which were of interest to the Crossfire Hurricane investigators, *i.e.*, Julian Assange; Russian influence; and Page's speech at

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<sup>1285</sup> *In re Carter W. Page*, No. 16-1182, at 6-7; *In re Carter W. Page*, No. 17-52, at 7-8; *In re Carter W. Page*, No. 17-375, at 7-8; *In re Carter W. Page*, No. 17-679, at 7-8.

<sup>1286</sup> Audio recording of CHS-1 and Trump Senior Foreign Policy Advisor-1's conversation on 09/01/2016 09:46:50.

<sup>1287</sup> *Id.* at 09:48:21.

<sup>1288</sup> *Id.* at 09:50:46.

<sup>1289</sup> *Id.* at 09:51:25.



the New Economic School, there was nothing said or discussed by Trump Senior Foreign Policy Advisor-1 regarding any of these issues that would evidence any type of assistance being provided by the Russians to the Trump campaign. In fact, even though these issues were raised by CHS-1, the advisor did not engage on the prompts or baited statements advanced by CHS-1 to spark confirmation of Russian assistance to the Trump campaign. Again, however, even though this recorded conversation was with a senior foreign policy advisor to the campaign and the tenor of the conversation between CHS-1 and the advisor provided no indication of assistance being provided to the campaign by the Russians, there is no mention of this meeting, nor of anything said by Trump Senior Foreign Policy Advisor-1 at the meeting, in any of the Page FISA applications. Indeed, based on our collection of pertinent FBI records, the actual results of this meeting do not appear to have been memorialized by the FBI in an FBI FD-302 or other substantive report.<sup>1290</sup>

*xi. Recordings of George Papadopoulos by FBI UCEs and CHS-1*

In addition to its recordings of meetings between CHS-1 and Page and CHS-1 and the Trump senior campaign foreign policy advisor, the Crossfire Hurricane investigators also used CHS-1 to record two meetings with Trump campaign foreign policy advisor Papadopoulos (whose statements to the Australian diplomats formed the predication cited in the FBI opening communication for the Crossfire Hurricane investigation).<sup>1291</sup> Papadopoulos had been announced as a Trump campaign foreign policy advisor at the same time as Page in late March 2016. Subsequent to his/her initial meeting with Page on August 20, 2016, CHS-1, whose experience and credentials regarding foreign policy and Presidential campaigns are noted above, arranged for Papadopoulos to visit him/her in September 2016 to discuss the possibility of Papadopoulos writing a research paper on oil, gas and energy-related issues, these fields having been noted as areas of Papadopoulos's expertise when he was announced as one of the Trump campaign's foreign policy advisors.<sup>1292</sup>

Additionally, in connection with CHS-1's two meetings with Papadopoulos, two FBI Undercover Employees ("UCE-1" and "UCE-2") also met and had a total of three conversations with Papadopoulos in September 2016, two of which were recorded. Two of these meetings occurred in a foreign country and the other occurred while Papadopoulos was going to meet with CHS-1.<sup>1293</sup>

When interviewed by the Office, UCE-1 was certain that nothing of substantive value was said to him/her by Papadopoulos.<sup>1294</sup> According to UCE-1, unprompted, Papadopoulos

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<sup>1290</sup> See *Redacted OIG Review* at 327-329 (indicating that the FBI did not do anything with this recorded meeting; it was not transcribed; and there was no evidence that the recording was put to any use. The FBI produced no documents regarding this recording to our Office.)

<sup>1291</sup> *Crossfire Hurricane Opening EC*.

<sup>1292</sup> Alan Rappeport, *Top Experts Confounded by Advisers to Donald Trump*, N.Y. Times (Mar. 22, 2016); Jeremy Diamond & Nicole Gaouette, *Donald Trump Unveils Foreign Policy Advisers*, CNN (Mar. 21, 2016).

<sup>1293</sup> OSC Report of Interview of FBI UCE-1 on October 21, 2021.

<sup>1294</sup> The conversation was not recorded by UCE-1.

identified himself as a Trump campaign advisor almost immediately after they began talking and showed him/her a picture of Trump and himself. Papadopoulos also told UCE-1 that he was traveling to meet an individual who UCE-1 subsequently learned was CHS-1. UCE-1 and Papadopoulos had a general conversation about the media reports involving Trump and Russia, with UCE-1 recalling that Papadopoulos laughed off such reports. UCE-1 recalled that Papadopoulos made no mention of Russian election interference efforts during their conversation.<sup>1295</sup> UCE-1 met later with the Crossfire Hurricane investigators and briefed them on the conversation he/she had had with Papadopoulos. He/she did not write a report regarding the encounter with Papadopoulos, explaining that it was common in UCE-1's experience that a case Agent would be briefed on the details of meetings and the case Agent was then responsible for writing the report of the meeting. UCE-1 advised that he/she had never seen any write-up or report of his/her meeting with Papadopoulos.<sup>1296</sup>

On September 14, 2016, Papadopoulos first met with UCE-2, who was posing as an assistant to CHS-1. During their conversation, which UCE-2 recorded, Papadopoulos provided UCE-2 with biographical-type information as well as background information concerning his role in the Trump campaign.<sup>1297</sup> Papadopoulos also bragged to UCE-2 that since his initial selection as a campaign advisor (1) his position in the campaign shifted higher due to campaign management changes,<sup>1298</sup> (2) he was with Trump all the time;<sup>1299</sup> (3) he was famous,<sup>1300</sup> and (4) his name now was global.<sup>1301</sup> One exchange between Papadopoulos and UCE-2 was of particular significance regarding Russia:

GP: The only thing I can't do is any business in Russia, right now, ... Russia has become like a hectic country with the campaign and all the other things.

UCE-2: What [UI] on campaign?

GP: Putin says he likes Trump, Trump says he likes Putin.

UCE-2: Oh yeah, yeah. And that's a problem?

GP: It shouldn't be. But if I do business...I will give you an example. I was supposed to speak at the largest energy conference in Russia later this

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<sup>1295</sup> OSC Report of Interview of FBI UCE-1 on October 21, 2021 at 2-3.

<sup>1296</sup> *Id.* at 3. No such report was produced to our investigators by the FBI and one does not appear to have been written.

<sup>1297</sup> The Crossfire Hurricane investigators did not prepare a transcript of this conversation so references to excerpts that follow are to the recording timestamps.

<sup>1298</sup> Audio recording of UCE-2 and George Papadopoulos conversation on 09/14/2016 at 19:06:20.

<sup>1299</sup> *Id.* at 19:10:44

<sup>1300</sup> *Id.* at 19:32:26

<sup>1301</sup> *Id.* at 19:57:46.



month... It is so difficult in the U.S. politically right now. So, I can do any country except Russia.

UCE-2: Why is it a problem if you want to build bridges to Russia... why give him [Trump] a hard time about it?

GP: As you said, he wants to build bridges. The media is saying he's bad. What's important is to deal with Russia.

UCE-2: Have you ever been to Russia?

GP: No.<sup>1302</sup>

The following day, September 15, 2016, Papadopoulos met twice with CHS-1. During the first part of their first conversation, which CHS-1 recorded at the direction of the Crossfire Hurricane investigators, they discussed a variety of topics, including a proposal that CHS-1 made to pay Papadopoulos \$3,000 to write a research paper on oil and energy involving Cyprus, Turkey, Greece, Russia and Syria.<sup>1303</sup> After advising Papadopoulos that he/she had met with the Trump campaign's senior foreign policy advisor,<sup>1304</sup> CHS-1 discussed his/her admiration for Trump's realistic view of Russia.<sup>1305</sup> The two then discussed other world affairs involving China, North Korea and Japan.<sup>1306</sup>

Following those discussions, the conversation moved to the campaign when, in an apparent reference to the WikiLeaks disclosures of DNC emails, CHS-1 asked Papadopoulos, "do they have more?" In response, Papadopoulos said, "Public statements of Assange has stated that get ready for October. Whatever that means no one knows but..."<sup>1307</sup> Later in the conversation, in an apparent reference to an "October surprise," the following exchange occurred:

CHS-1: We were frightened to death about those surprises in 1980.

GP: [Laughing] Hillary is not that bad but hope-hopefully for her it is a catastrophe along those lines and ah, it-it likely will...

CHS-1: Yeah.

GP: ...you know a lot of dirt has come out on the Clinton Foundation.

CHS-1: Do you think that's when it will happen?

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<sup>1302</sup> *Id.* at 19:58:52 - 20:01:57

<sup>1303</sup> Transcript of conversation between Papadopoulos and CHS-1 on 09-15-2016 AM at 15. In testimony to the House Judiciary Committee, Papadopoulos confirmed that he had been paid \$3,000 for writing the paper. *See* U.S. House Committee on the Judiciary, Interview of George Papadopoulos on 10/25/2018 at 101, 109-110.

<sup>1304</sup> Transcript of conversation between Papadopoulos and CHS-1 on 09-15-2016 AM at 15.

<sup>1305</sup> *Id.* at 14-15.

<sup>1306</sup> *Id.* at 19-31.

<sup>1307</sup> *Id.* at 35-36.

GP: It could be that, it could be about her health.

CHS-1: Yeah, that's right. It could be about her health.

GP: It could be about her health.

CHS-1: Release that story so [UI].

GP: But it, yeah, it could be, you know, she falsified information, her doctors they colluded with the campaign, who knows when it may be. But the CEO of the Clinton Foundation just yesterday released a statement that yes, we did provide access for high bidders to the State Department...she's just digging a grave for herself.

CHS-1: Her grave?

GP: Yeah. That's why I think [UI] and the CEO of the Clinton Foundation came out with a statement that yes, we're indirectly guilty of providing access to the State Department for the high-level donors to our foundation...<sup>1308</sup>

Later in the conversation, CHS-1 and Papadopoulos discussed what Papadopoulos described as an invitation from the Russian Ministry of Foreign Affairs to speak in Russia, which he turned down because "[i]t's just too sensitive, ah, advisor on the campaign trail...especially with what is going on with Paul Manafort . . . so I mean the man lost his job essentially over media allegations, whether they were warranted or unwarranted...."<sup>1309</sup>

Papadopoulos also mentioned another reason for him not going to Russia and discussed

Page:

GP: So, the last thing they needed at that time was oh now he's going, Carter Page, I think, was in Russia though.

GP: The entire Trump campaign is in Moscow within two weeks of each other. And now Mr. Trump is talking about how he adores his relationship with Putin so, ah, that's the last thing we want to have happen. [chuckles]

CHS-1: Carter is still maintaining relations with the Russians.

GP: I don't know and to be, ah, honest. I don't know what Carter has told you or what [another Trump foreign policy advisor] has told you but Carter has never actually met Trump. I know he hasn't actually advised him on Russia. He might be advising him indirectly through [another Trump foreign policy advisor] or...

CHS-1: Yeah [UI]

GP: But the media made a whole fuss about... That's not the reality....<sup>1310</sup>

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<sup>1308</sup> *Id.* at 36.

<sup>1309</sup> *Id.* at 42.

<sup>1310</sup> *Id.* at 42-43.



A short time later, Papadopoulos described Page as “[A] very nice guy, you know, very smart.”<sup>1311</sup>

At no time during this conversation did Papadopoulos mention anything about any support being provided by Russia to the Trump campaign, even when the discussion turned to Julian Assange and WikiLeaks. None of the statements made by Papadopoulos during this first meeting, including the aforementioned subjects of Assange, WikiLeaks, Page, and the prospect of some October surprise, were referenced in the FISA applications.

Later that day, however, in the second meeting between CHS-1 and Papadopoulos, there was an explicit discussion about the allegation which predicated the opening of the Crossfire Hurricane investigation. The Crossfire Hurricane investigative team’s interpretation of that conversation, as included in the initial and subsequent Page FISA applications, is unsettling.

Shortly after the meeting began, the two engaged in a discussion about the recent publication of DNC emails by WikiLeaks:

CHS-1: I was going to ask you, did you guys have any idea that, um...you know that the, that the, ah, about the DNC leaks?

GP: Oh no.

CHS-1: Because I thought that was a really significant thing....

GP: And no one has proven that the Russians actually did the hacking....<sup>1312</sup>

After briefly discussing the possibility of other countries being involved in the DNC computer intrusion, the discussion continued:

CHS-1: ...[s]o actually what you’re saying to me is that you didn’t feel like the campaign was able to benefit at all from what the Russians could help with.

GP: What do you mean by [Unintelligible]?

CHS-1: Well, you know, I mean I-I think this is a time when given Hillary’s weakness and given her strengths that help from the, from a third party like WikiLeaks for example or some other third party like the Russians, could be incredibly helpful. I mean it makes all the difference.

GP: Well as a campaign, of course, we don’t advocate for this type of activity because at the end of the day, it’s, ah, illegal. First and foremost, it compromises the U.S. national security and third it sets a very bad precedence.

CHS-1: Yeah.

GP: So, the campaign does not advocate for this, does not support what is happening. The indirect consequences are out of our hands.

CHS-1: Yep. Yep.

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<sup>1311</sup> *Id.* at 43-44.

<sup>1312</sup> Transcript of conversation between Papadopoulos and CHS-1 on 09-15-2016 PM at 12-13.

GP: That's how, that's the best way I can, ah...

CHS-1: But...

GP: For example, our campaign is not [chuckling] engage or reaching out to WikiLeaks or to the whoever it is to tell them please work with us, collaborate because we don't, no one does that.

CHS-1: Yeah.

GP: Unless there's something going on that I don't know which I don't because I don't think anybody would risk their, their life, ah, potentially going to prison over doing something like that. Um ... because at the end of the day, you know, it's an illegal activity. Espionage is, ah, treason.

CHS-1: Yeah. Well particularly involvement with American elections.

GP: Especially if somebody is collaborating with x-group that no one yet knows who they are...

CHS-1: Yeah.

GP: ...Then... I mean that's why, you know, it became a very big issue when Mr. Trump said, "Russia if you're listening..." Do you remember?

CHS-1: Yeah, I remember that comment. Yeah.

GP: And you know we had to retract it because, of course, he didn't mean for them to actively [chuckles] engage in espionage but the media then took and ran with it.<sup>1313</sup>

Finally, toward the end of their conversation, CHS-1 broached the subject one more time with Papadopoulos:

CHS-1: [W]ell you know I'm-I'm happy to hear from you that, um, you know that there has been no interference in the campaign from outside groups like WikiLeaks or any of these people.

GP: No. And, and, and to run a shop like that, you know, of course it's illegal. No one's looking to, um, obviously get into trouble like that and, you know, as far as I understand that's, no one's collaborating, there's been no collusion and it's going to remain that way.<sup>1314</sup>

In this conversation, Papadopoulos clearly stated at several points that he was not aware of the Trump campaign working or collaborating with the Russians in any manner. In fact, he stated three times that such activity by the campaign would be illegal. These statements directly contradicted the underlying premise of the Crossfire Hurricane investigation, namely that a member or members of the Trump campaign might be or were colluding with the Russians regarding the release of information detrimental to the Clinton campaign. These were direct, explicit denials by Papadopoulos of his otherwise vague statements to the Australian diplomats about Russian assistance to the campaign – statements that Australia conveyed may have come

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<sup>1313</sup> *Id.* at 17-18

<sup>1314</sup> *Id.* at 27.



from public sources.<sup>1315</sup> As previously discussed, these statements were used to predicate Crossfire Hurricane, the active investigation of unknown members of a Presidential campaign.

Significantly, these explicit, recorded denials of Trump campaign involvement with the Russians came *after* the initial meeting between Page and CHS-1 on August 20, 2016, and *after* the September 1, 2016, meeting between CHS-1 and the Trump campaign senior foreign policy advisor, both of which were recorded at the direction of the FBI and were in the possession of the Crossfire Hurricane investigators. In his conversation with CHS-1, Papadopoulos clearly said that such assistance from the Russians would be illegal. This was arguably the most significant information the FBI had gathered after approximately six weeks of investigative effort to evaluate the information it had received from Australia. Yet the FBI chose to discount the information and assessed it to mean the opposite of what was explicitly said.

As reflected in the *OIG Review*, the FBI chose to adopt an interpretation of Papadopoulos's denials of any knowledge of the Trump campaign's involvement with the Russians in connection with the DNC computer intrusion and subsequent publication of certain DNC emails as being "weird," "rote," "canned," and "rehearsed."<sup>1316</sup> They described Papadopoulos as having "a free flowing conversation" with the CHS that changed "to almost a canned response."<sup>1317</sup> Other comments made to the OIG by Crossfire Hurricane investigators included that the perceived change in tone of the conversation may have been an indication that Papadopoulos had been coached by legal advisors to provide certain responses to CHS-1, notwithstanding the lack of any actual evidence to support such a conclusion.<sup>1318</sup>

In interviews conducted by the Office, two Crossfire Hurricane investigators gave similar responses to what they previously told the OIG. One Agent stated that Papadopoulos's emphatic response to CHS-1's statement of a possible connection between the Trump campaign and the Russians was "curious," so much so that there was a consensus view that Papadopoulos's response may have been rehearsed and was, therefore, not authentic.<sup>1319</sup> Another Crossfire Hurricane investigator briefed several FBI Executives regarding this issue, including Deputy Director McCabe, Assistant Director Priestap, General Counsel Baker, Section Chief Moffa, and the Deputy Director's Special Counsel, Lisa Page, noting that the general consensus of the group after the briefing was that one of the statements made by Papadopoulos in his meeting with CHS-1, which would normally be considered exculpatory, was instead assessed as an outlier and intentionally scripted by him to give a false impression.<sup>1320</sup>

Our investigators listened very carefully to this recording and did not detect any change in Papadopoulos's tone of voice when he made these statements to CHS-1. As the Crossfire Hurricane investigators' interpretation of Papadopoulos's actual words was the exact opposite of what was said, and given how critical those words were to an objective assessment of the

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<sup>1315</sup> See *supra* footnote 214.

<sup>1316</sup> See *Redacted OIG Review* at 332-333.

<sup>1317</sup> *Id.* at 332.

<sup>1318</sup> *Id.*

<sup>1319</sup> OSC Report of Interview of Case Agent-1 on June 19, 2019 at 3.

<sup>1320</sup> OSC Report of Interview of Supervisory Special Agent-1 on June 17, 2019 at 3.

relationship between the Trump campaign and Russia, the entire exchange between Papadopoulos and CHS-1 should have been brought to the attention of the OI attorneys working with the Crossfire Hurricane personnel on the Page FISA application. The FBI, however, failed to do so at the time (and, as a consequence, the FISC also was not advised of the exculpatory statements). Indeed, these statements were only brought to the attention of the FISC more than two years later, on July 12, 2018, when the Department submitted a filing with the Court pursuant to the requirements of Rule 13, Rules of Procedure for the United States Foreign Intelligence Surveillance Court, as promulgated under Title 50, United States Code, Section 1803(g).<sup>1321</sup>

Importantly, these exculpatory statements were made by Papadopoulos more than a month *before* the initial Page FISA application was submitted to the FISC.<sup>1322</sup> Thus, at the time Papadopoulos made the recorded statements, the Crossfire Hurricane investigators were actively involved, or were soon to be involved, in drafting an updated application asserting that there was probable cause to believe that Page was an agent of a foreign power.<sup>1323</sup> Further, one Crossfire Hurricane investigator told the OIG that discussion of the September 15, 2016 meeting between CHS-1 and Papadopoulos and the interpretation of Papadopoulos's denials of cooperation with the Russians remained a topic of conversation for days afterward.<sup>1324</sup> Yet the FBI failed to apprise OI,<sup>1325</sup> and therefore the FISC, of these significant statements.

Finally, with respect to Papadopoulos's denial of any knowledge of a relationship between the Russians and the Trump campaign, it does not appear that the FBI gave any serious thought to simply interviewing him to resolve the discrepancy between his unambiguous statements to CHS-1 and what the Australian officials had reported concerning a "suggestion" regarding possible Russian assistance to the Trump campaign.<sup>1326</sup> <sup>1327</sup> Thus, an opportunity to potentially resolve any underlying national security concern early on was missed.

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<sup>1321</sup> See *Redacted OIG Review* at 230-231.

<sup>1322</sup> As noted previously, the initial FISA warrant issued on October 21, 2016.

<sup>1323</sup> The effort took on additional vigor when four days after the CHS-1/Papadopoulos meetings, Crossfire Hurricane team members first received copies of some of the unvetted and uncorroborated Steele Dossier reporting.

<sup>1324</sup> See *Redacted OIG Review* at 332.

<sup>1325</sup> OSC Report of Interview of OI Attorney-1 on July 1, 2020 at 6.

<sup>1326</sup> According to Case Agent-1, the idea of a direct subject interview of Papadopoulos was "kicked around", as was the notional idea of going directly to the Trump campaign leadership with a briefing about the intelligence threats. Neither of these approaches were taken and the Crossfire Hurricane team pressed forward with its investigation. See OSC Interview of Case Agent-1 dated June 19, 2019 at 3.

<sup>1327</sup> As related in the opening EC for the Crossfire Hurricane investigation, quoting the text exactly as it had been received from Australia, "[P]apadopoulos suggested [to the Australian diplomats] that the Trump team had received some kind of suggestion from Russia that it could assist this process with the anonymous release of information during the campaign that would be damaging to Mrs. Clinton (and President Obama)."



xii. *Recordings of Papadopoulos by CHS-2*

In addition to the recorded meetings Papadopoulos had with CHS-1 and the FBI UCEs during his trip to meet with CHS-1, he also had numerous conversations which were recorded at the FBI's direction with a second CHS ("CHS-2"). CHS-2 was a longtime acquaintance of Papadopoulos. From the first recorded conversation with CHS-2, which occurred on October 23, 2016, until their last recorded conversation, which occurred on May 6, 2017, CHS-2 made a total of 23 separate recordings for the FBI. CHS-2 challenged Papadopoulos with approximately 200 prompts or baited statements which elicited approximately 174 clearly exculpatory statements from Papadopoulos. While their recorded conversations totaled 120 hours and 17 minutes, covering a wide variety of topics, many of which did not relate to the Crossfire Hurricane investigation, there were a number of conversations that were particularly relevant. Indeed, over the course of their recorded meetings, Papadopoulos repeatedly denied that he, the Trump campaign, and Russia had some type of cooperative relationship. However, as with the statements Papadopoulos made in his monitored conversations with CHS-1, none of Papadopoulos's exculpatory statements to CHS-2 regarding his lack of knowledge of assistance from the Russians to the Trump campaign were included in the succeeding Page FISA renewal applications.<sup>1328</sup>

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<sup>1328</sup> See *Redacted OIG Review* at 233. The OIG report notes that similar denials made by Papadopoulos in interviews he conducted with the FBI were included in the second and third FISA renewals. However, these denials, submitted as footnote 4 to the two renewals, contained qualifying language regarding the denials. While noting that during his interviews with the FBI Papadopoulos had denied discussing anything related to Russia during his meetings with the Australian officials, the footnote also contains the FBI's belief that the interview responses to FBI questions by Papadopoulos regarding these denials were misleading and incomplete. See *In re Carter W. Page*, No. 17-375, at 11 n.4; *In re Carter W. Page*, No. 17- 679, at 11 n. 4.

With regard to misleading and incomplete information being provided to the FBI, Papadopoulos was subsequently charged in a one-count Information with and convicted of making false statements in violation of 18 U.S.C. § 1001(a)(2). *United States v. George Papadopoulos*, Crim. No. 17-cr-182 (RMD) (D.D.C.), Document 8 (Information). Specifically, during his first interview with the Crossfire Hurricane Agents on January 27, 2017, Papadopoulos told the Agents about an individual associated with a London-based entity who had told him about the Russians having "dirt" on Clinton. Although Papadopoulos provided the FBI with the name of the individual and where he could be contacted, Papadopoulos lied to the Agents about when he had received the information (it was received after not before he was named as a foreign policy advisor to the Trump campaign) and he downplayed his understanding of the individual's connections to Russian government officials. *U.S. v. Papadopoulos* Document 19 (Statement of the Offense) at 1-2. In addition, Papadopoulos misled the Agents about his attempts to use the individual and a female associated with that person to arrange a meeting between the Trump campaign and Russian government officials. *Id.* at 2-3. Ultimately, Papadopoulos pleaded guilty to making false statements. On multiple occasions he then met with, answered questions for, and provided information to the Government, *id.* at 13, and eventually was sentenced to 14 days incarceration. *U.S. v. Papadopoulos* Document 50.

On October 29, 2016, in a conversation with CHS-2 that occurred approximately one week after the initiation of the FISA surveillance on Carter Page and ten days before the election, Papadopoulos and the CHS had the following exchanges:

CHS-2: You think Russia is playing a big game in this election?

GP: No.

CHS-2: Why not?

GP: Why would they?

CHS-2: Don't you think they have special interest?

GP: I do not think so, that's all [expletive].

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CHS-2: You don't think they hacked the DNC?

CHS-2: Who hacked the [expletive] DNC then?

GP: It could be the Chinese, could be the... Iranians, it could be some Bernie supporters... Could be Anonymous<sup>1329</sup>

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CHS-2: You don't think anyone from the Trump campaign hacked her emails.

GP: No, no.

CHS-2: You don't think anyone from the Trump campaign had anything to do with [expletive] over at the DNC?

GP: No, I know that for a fact.

CHS-2: How do you know that for a fact?

GP: Because I have been working for them the last nine months that's how I know. And all of this stuff has been happening, what, over the last four months?

CHS-2: But you don't think anyone would have done it like undercover or anything like that?

GP: You know when I was in [Redacted] this [Redacted] and he was like a big advisor...asked me the same question. I told him absolutely not. And he actually was probably going in and tell the CIA or something if I'd have told him something else. I assume that's why he was asking. And I told him absolutely not. There's absolutely no reason... First of all, it is illegal, you know, to do that [expletive] ... No one would put their [expletive] life at risk or

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<sup>1329</sup> Transcript of conversation between Papadopoulos and CHS-2 on 10-29-2016 at 157-158.



going to jail for the next 50 years to hack some [expletive] that may mean nothing.<sup>1330</sup>

Later in the conversation, Papadopoulos addressed the topic again, in response to CHS-2's inquiries:

GP: First of all, it is illegal to do that. So, no one in their right mind would, right?<sup>1331</sup>

Finally, the two discussed it one more time:

CHS-2: Do you think maybe Russia would have done... it because they could get away with it?

GP: Any foreign government.

CHS-2: They can get away with it?

GP: Yeah, Yeah, any foreign government.<sup>1332</sup>

The language used by Papadopoulos in his conversation with CHS-2 is consistent with the language he used in his conversation with CHS-1 almost six weeks earlier. Indeed, as noted above, Papadopoulos told CHS-2 that he told CHS-1 (whom he did not identify to CHS-2) the same thing as he was telling CHS-2 regarding allegations about the Trump campaign and Russia. Despite these denials by Papadopoulos to two different CHSs at two different times and places, as captured and memorialized on recordings made at the direction of the FBI, no information from either recorded conversation was brought to the attention of the FISC in the applications for the Page FISA renewals. Notably, these statements were made by Papadopoulos not just to an individual who he was meeting for the first time (CHS-1), but also, as the Crossfire Hurricane investigators well knew, to an individual with whom he had been well-acquainted over a long period of time (CHS-2).

In yet another conversation between CHS-2 and Papadopoulos, which occurred on January 25, 2017 (two weeks after publication of the Steele Reports by *BuzzFeed*, and amid media speculation that Sergei Millian, a person Papadopoulos had met and with whom he corresponded, was the source for some of the allegations in the Steele Reports), Papadopoulos expressed concerns about Millian to CHS-2. In this regard, the following relevant comments were recorded by CHS-2:

16:11:25

GP: I think he [Millian] was trying to get me to say a Trump person was trying to do business on the side with the Russians, that is what I think.

16:58:48

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<sup>1330</sup> *Id.* at 159-160 (redaction in original).

<sup>1331</sup> *Id.* at 163.

<sup>1332</sup> *Id.* at 164 (redaction in original).

GP: I am not part of the government. I have never been to Russia in my life.

17:02:50

CHS-2: Have you done anything to like help [expletive]?

GP: I'm telling you I done nothing.<sup>1333</sup>

Papadopoulos's denial to CHS-2 of working with the Russians was not mentioned in the FBI's second or third renewal applications for FISA warrants on Page.<sup>1334</sup> As noted above, certain denials made by Papadopoulos in FBI interviews were mentioned in a footnote, but the Crossfire Hurricane team reported that it believed Papadopoulos was misleading in those interviews. This denial from Papadopoulos in this conversation with CHS-2, which occurred prior to those two renewal applications being submitted to the FISC, was also omitted from any discussion in that referenced footnote.

In a third conversation, which took place on March 20, 2017, Papadopoulos and CHS-2 briefly discussed media reporting regarding an FBI investigation of the Trump campaign and possible contacts with Russia during the 2016 presidential campaign. The fact of the investigation had been publicly reported that day in Congressional testimony given by then-FBI Director Comey.<sup>1335</sup> This March 20, 2017, conversation included the following relevant exchanges:

11:38:35

GP: They are doing an investigation, huh?

CHS-2: Did you see Comey's press?

11:39:30

GP: If they are trying to prove that people in the campaign were like sitting with Russians like colluding...

What [expletive] are they even talking about, you know? What does that even mean colluding?

That means they were sitting in a room together plotting [expletive]. Which is the craziest thing I ever heard of in my life.

11:39:58

CHS-2: Is it though?

GP: I think so. I highly doubt someone would be doing that. First of all, it would be suicide ... You know what I think's going to end up

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<sup>1333</sup> Audio recording of Papadopoulos and CHS-2 conversation on 01/25/2017. References are to timestamps of recording.

<sup>1334</sup> The second FISA Renewal application, Docket 17-375 was submitted to the FISC on April 7, 2017, and the third, Docket 17-679 was submitted to the FISC on June 29, 2017.

<sup>1335</sup> Matt Apuzzo, Matthew Rosenberg & Emmarie Huetteman, *F.B.I Is Investigating Trump's Russia Ties, Comey Confirms*, N.Y. Times (March 20, 2017).



happening.... I think that it will be like oh some of these guys were talking about but... you know some [expletive] like that. I do not know. What do you think?

CHS-2 I think everyone's [expletive].

11:40:53

GP: No-Even the guy the Congressman who's like focusing the Committee today.... Adam Schiff 'cuz I was watching him after breakfast and he's like if people met with them or are doing business in Russia that's not a crime. The crime that we are looking into is if there was like collusion. Which like I said that would be [expletive] nuts. But, I don't believe it.

CHS-2 You think anyone involved would have been dumb enough to leave a paper trail?

GP: Well, like I said, I don't.... I think it would just be insane. I just don't think anybody would be that psychotic unless they have like medical problems.<sup>1336</sup>

As with previous statements made by Papadopoulos to CHS-1 and CHS-2 which were relevant to the predating information for the Crossfire Hurricane investigation, none of this additional dialogue, wherein Papadopoulos expressed absolutely no knowledge about Trump campaign/Russia collusion, was mentioned in either the second or third Page renewal applications submitted to the FISC. The omission of these March 20, 2017 statements of Papadopoulos is even more concerning in that he made them the very same day the FBI Director publicly confirmed the Crossfire Hurricane investigation which brought heightened attention to these matters.

Finally, in a fourth conversation between Papadopoulos and CHS-2 on March 31, 2017, they once again briefly discussed possible Russian interference in the 2016 election. The following exchange took place:

14:03:45

CHS-2: Do you think the Russians would come and kill you if you said something? The Russian Mafia?

GP: I have nothing to do with the Russians.

14:14:30

CHS-2: If Russia [expletive] meddled in our elections, what else are they controlling about us? That just makes America look weak.

GP: I still don't believe that [they did].<sup>1337</sup>

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<sup>1336</sup> Audio recording of Papadopoulos and CHS-2 conversation on 03/20/2017. References are to timestamps of recording.

<sup>1337</sup> Audio recording of Papadopoulos and CHS-2 conversation on 03/31/2017. References are to timestamps of recording.

As in the earlier instances, these exchanges between Papadopoulos and CHS-2 were not mentioned in the second or third FISA renewal applications targeting Page. Nevertheless, it illustrates a consistency in Papadopoulos's denials that either he individually or, to his knowledge, others in the Trump campaign, colluded or worked in collaboration with the Russians during the 2016 presidential campaign.

These statements of Papadopoulos to two individuals with whom he talked openly and believed he could trust, statements which undercut the legitimate concerns raised by the Australian reporting and which resulted in the opening of the Crossfire Hurricane investigation, along with Page's statements in meetings with CHS-1 on multiple occasions, were deliberately ignored or dismissed by the FBI, preventing other entities, such as the OI and the FISC, from being able to adequately scrutinize the FBI's FISA submissions.

i. Other aspects of the Page FISA applications

i. *Multiple levels of subsources*

Much of the probable cause in the Page applications is based on multiple layers of sub-source reporting. The first surveillance application said of a key informant (Steele) that:

Source #1 maintains a network of sub-sources, who, in many cases, utilize their own sub-sources. The source reporting in this application, which was provided to the FBI by Source #1, is derived primarily from a [redacted], who uses a network of sub-sources. Thus, *neither Source #1 nor the [redacted] had direct access to the information being reported by the sub-sources identified herein . . .*<sup>1338</sup>

In other words, much of the information came through at least three people before it reached the FBI.

Referring to Steele's sub-sources, Supervisory Intelligence Analyst Brian Auten stated that he "did not have a good handle on how the sub-sources worked or who had what access to whom." He went on to say that "[b]y late January 2017 . . . [w]e knew we had a three-layer problem regarding Steele's sub-sources."<sup>1339</sup> Moreover, once Danchenko had been interviewed, Crossfire Hurricane investigators knew that Danchenko was not operating a "network of subsources," but rather would talk with people in his social circle about issues and then would report what he learned to Christopher Steele.<sup>1340</sup>

ii. *Reliability of subsources*

One of Source #1's sub-sources reported that there was "a well-developed conspiracy of co-operation." This was quoted twice in the initiation as it was at the heart of the factual

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<sup>1338</sup> *In re Carter W. Page*, Order No. 16-1182, at 16 n.8 (emphasis added) (bolding in original omitted).

<sup>1339</sup> *FBI Inspection Division Report* at 365-66.

<sup>1340</sup> SCO-005801 (Interview of Igor Danchenko Electronic Communication dated 02-09-2017) at 23, 39.



information.<sup>1341</sup> The sub-source said the conspiracy was “between them [assessed to be individuals involved in Candidate #1’s campaign] and the Russian leadership.”<sup>1342</sup> This was “managed by Candidate #1’s then campaign manager, who was using . . . foreign policy advisor Carter Page as an intermediary.”<sup>1343</sup> There is no discussion in the FISA application of the reliability of the sub-source who provided this important information,<sup>1344</sup> and the FBI has secured no evidence that corroborated the allegations.

iii. *Role of campaign manager*

Although the campaign manager was reported to be managing the cooperation with Russia, the application included no other information – such as information about suspicious Russian contacts with the manager – to support that statement. Based on our review, the FBI had no substantive evidence that corroborated this allegation.

iv. *Involvement in criminal activity*

The Page FISA initiation approaches the issue of Page’s involvement in criminal activity in a manner consistent with FISA’s legislative history:<sup>1345</sup>

As the activities discussed herein involve Page aiding, abetting, or conspiring with Russian Government officials and elements of the [Russian Intelligence Service] in clandestine intelligence activities, the FBI submits that there is probable cause to believe that such activities *involve or are about to involve* violations of the criminal statutes of the United States, including 18 U.S.C. § 371 (Conspiracy), 18 U.S.C. § 951 (Agents of Foreign Governments) and 22 U.S.C. §§ 612, et seq. (Foreign Agents Registration Act).<sup>1346</sup>

In applying the higher standard of criminal involvement to Page, the application did not discuss the standard, or explain how it was met, beyond what is stated above.

2. *Prosecution decisions*

In light of the foregoing, the Special Counsel carefully reviewed and analyzed the evidence related to (i) Clinesmith and the altered email; (ii) statements made to the FBI regarding the Steele Reports; (iii) the receipt and dissemination of the Steele Reports; (iv) the *Yahoo! News* article; (v) the use of the Steele Reports in the FISA applications targeting Page; (vi) Igor Danchenko, including the legality of Danchenko’s visa arrangement and the FBI’s handling of the prior counterespionage investigation of Danchenko; (vii) the recordings of Page,

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<sup>1341</sup> *In re Carter W. Page*, Order No. 16-1182, at 10, 20. For a discussion of this and other parts of the information used to support probable cause, *see supra* § IV.C.1.

<sup>1342</sup> *Id.* at 20 (brackets in original).

<sup>1343</sup> *Id.*

<sup>1344</sup> *In re Carter W. Page*, Order No. 16-1182, at 19 n.17. Like this footnote, other footnotes describe sub-sources and state that they did not know that their reporting would be directed to the FBI, but the footnotes do not provide any information about the reliability of the sub-sources.

<sup>1345</sup> *See supra* § III.C.1.

<sup>1346</sup> *In re Carter W. Page*, Order No. 16-1182, at 32-33 (emphasis added).

Papadopoulos, and others; and (viii) the certification of the Page FISA applications. In determining whether the actions of individuals or entities warranted criminal prosecution, the Special Counsel adhered to the *Principles of Federal Prosecution*.

a. Kevin Clinesmith

Not only was the altered email itself a falsified document, the statement Clinesmith made in the altered email and in the instant messages to Supervisory Special Agent-2 — that Page was not a source — was also false. In fact, Page had been a source for the OGA and had provided direct reporting to the OGA in the past.<sup>1347</sup> When interviewed by the OIG, and as later confirmed when interviewed by our investigators, OGA Liaison-1 described Page as a “source” under the FBI’s terminology and said that the reason she offered in the email to assist in providing language for the FISA application was because she was telling Clinesmith that, using the FBI’s terminology, Page had been a source for the OGA.<sup>1348</sup> As the liaison told the OIG, it was incorrect to describe Page as a subsource.<sup>1349</sup> The liaison also stated that she saw no basis for Clinesmith to have concluded, based on their communications and the August 17th Memorandum, that Page never had a direct relationship with the OGA.<sup>1350</sup> In addition, the liaison said that she did not recall having any telephone discussions with Clinesmith on this issue.<sup>1351</sup> When interviewed by the Office, the liaison confirmed the accuracy of the information that she provided to the OIG.

The alteration made by Clinesmith also was unquestionably material to the final Page FISA application.<sup>1352</sup> As several individuals involved in the application process explained in interviews with the Office, Page’s status as should have been disclosed to the FISC because it bore on whether there was probable cause to believe that Page was acting as an agent of a foreign power. OI Attorney-1 stated that it would have been a significant fact if Page had a relationship with the OGA that overlapped in time with his interactions with known Russian intelligence officers that were described in the FISA applications, as was the case here, because it would raise the issue of whether Page had those interactions with the intent to assist the U.S. government.<sup>1353</sup> Deputy Assistant Attorney General Stuart Evans stated that a FISA target’s relationship with an OGA is typically included in an application,<sup>1354</sup> and he believed the information about Page’s prior relationship with the OGA should have been disclosed because it “goes to the question of where the person’s loyalties lie[.]”<sup>1355</sup>

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<sup>1347</sup> See *Redacted OIG Review* at 251.

<sup>1348</sup> *Id.*

<sup>1349</sup> *Id.* at 251, 254-256.

<sup>1350</sup> *Id.* at 251.

<sup>1351</sup> *Id.*

<sup>1352</sup> *United States v. Kevin Clinesmith*, Crim. No. 20-cr-165(JEB) (D.D.C.), Doc. 1 (Statement of Offense) at 6.

<sup>1353</sup> See *Redacted OIG Review* at 157.

<sup>1354</sup> *Id.*

<sup>1355</sup> *Id.* at 159.



Indeed, Clinesmith himself knew that, if Page had been a source with the OGA, that information would need to be disclosed in the FISA application.<sup>1356</sup> Clinesmith acknowledged as much in his original email to OGA Liaison-1, stating “This is a fact we would need to disclose in our next FISA renewal.”<sup>1357</sup> Later, when interviewed by the OIG, Clinesmith stated there was “a big, big concern from both [NSD OI] and from the FBI that we had been targeting a source, because that should never happen without us knowing about it.”<sup>1358</sup> Clinesmith added that, if it were true, they would “need to provide [the information] to the court” because such information would “drastically change the way that we would handle . . . [the] FISA application.”<sup>1359</sup>

Supervisory Special Agent-2 also described the importance of knowing Page’s prior relationship with the OGA. According to Supervisory Special Agent-2, “if [Page] was being tasked by another agency, especially if he was being tasked to engage Russians, then it would absolutely be relevant for the Court to know . . . [and] could also seriously impact the predication of our entire investigation which focused on [Page’s] close and continuous contact with Russian/Russia-linked individuals.”<sup>1360</sup> When interviewed by our Office, Supervisory Special Agent-2 echoed the information he provided to the OIG.<sup>1361</sup>

To that end, Clinesmith was the person that Supervisory Special Agent-2 relied on to resolve the issue of whether Page had been a source for the OGA in the past.<sup>1362</sup> Clinesmith’s statement to Supervisory Special Agent-2 that the OGA had said “explicitly” that Page had never been a source was “the confirmation that [he] need[ed].”<sup>1363</sup> According to Supervisory Special Agent-2, the language that Clinesmith inserted into the liaison’s email — that Page was “not a source” — was the most important part of the email for him.<sup>1364</sup> Supervisory Special Agent-2 stated, “if they say [Page is] not a source, then you know we’re good.”<sup>1365</sup> Supervisory Special Agent-2 further stated that if the email from the liaison had not contained the words “not a source” then, for him, the issue would have remained unresolved, and he would have had to seek further clarification. As Supervisory Special Agent-2 told the OIG, “If you take out ‘and not a

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<sup>1356</sup> *United States v. Kevin Clinesmith*, Crim. No. 20-cr-165(JEB), (D.D.C.), Doc. 1 (Statement of Offense) at 4.

<sup>1357</sup> *Id.* at 4-5.

<sup>1358</sup> *Id.* at 4.

<sup>1359</sup> *Id.*

<sup>1360</sup> *See Redacted OIG Review* at 249.

<sup>1361</sup> OSC Report of Interview of Supervisory Special Agent-2 on May 5, 2021 at 3; OSC Report of Interview of Supervisory Special Agent-2 on Oct. 17, 2019 at 3-5.

<sup>1362</sup> *See Redacted OIG Review* at 255; OSC Report of Interview of Supervisory Special Agent-2 on Oct. 17, 2019 at 4.

<sup>1363</sup> *See Redacted OIG Review* at 253; OSC Report of Interview of Supervisory Special Agent-2 on May 5, 2021 at 3.

<sup>1364</sup> *Id.* at 255.

<sup>1365</sup> *Id.*

source,’ . . . it doesn’t really answer the question.” Supervisory Special Agent-2 also stated that even a verbal statement from OGA liaison-1 would not have resolved the issue for him.<sup>1366</sup>

As discussed above, the OIG subsequently conducted a review of the FISA applications targeting Page and discovered Clinesmith’s conduct in altering the email. When confronted with the altered email by the OIG, Clinesmith initially stated that he was not certain how the alteration occurred, but subsequently acknowledged that he made the change.

The seriousness of the Clinesmith’s conduct is highlighted by the FISC’s reiteration of the fact that “the government . . . has a heightened duty of candor to the [FISC] in *ex parte* proceedings,” and “[t]he FISC ‘expects the government to comply with its heightened duty of candor in *ex parte* proceedings at all times. Candor is fundamental to this Court’s effective operation . . .’”<sup>1367</sup> In submissions dated October 25, 2019, and November 27, 2019, the Department provided the FISC with notice of Clinesmith’s conduct and the failure to disclose Page’s prior relationship with the OGA.<sup>1368</sup>

On August 19, 2020, the Office charged Clinesmith in the United States District Court for the District of Columbia with the felony offense of Making False Statements, in violation of 18 U.S.C. § 1001(a)(3). On that same date, in the case known as *United States v. Kevin Clinesmith*, Crim. No. 20-cr-165(JEB) (D.D.C.), Clinesmith waived indictment and pleaded guilty to a one-count Criminal Information.<sup>1369</sup> On January 29, 2021, Clinesmith was sentenced to a term of 12-months’ probation.

Finally, it appears likely that political or personal bias contributed at least to some extent to Clinesmith’s conduct in this matter.<sup>1370</sup> As mentioned in the *OIG Review*, Clinesmith had also been investigated by the FBI’s Office of Professional Responsibility, and ultimately suspended, for sending improper political messages to other FBI employees.<sup>1371</sup> On the day after the 2016 presidential election, Clinesmith wrote, “I am so stressed about what I could have done differently.”<sup>1372</sup> In a later exchange with another FBI colleague, Clinesmith was asked “[i]s it

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<sup>1366</sup> *Id.*

<sup>1367</sup> *In Re Accuracy Concerns Regarding FBI Matters Submitted to the FISC*, Docket No. Misc. 19-02, at 2 (FISC Dec. 17, 2019) (citing Docket No. BR 14-01, Op. and Order issued on Mar. 21, 2014, at 8, available at <http://repository.library.georgetown.edu/bitstream/handle/10822/1052715/gidc00098.pdf?sequence=1&isAllowed=y>, and Docket No. [Redacted], Mem. Op. and Order issued on Nov. 6, 2015, at 59, available at [https://repository.library.georgetown.edu/bitstream/handle/10822/1052707/gid\\_c\\_00121.pdf?sequence=1&isAllowed=y](https://repository.library.georgetown.edu/bitstream/handle/10822/1052707/gid_c_00121.pdf?sequence=1&isAllowed=y)).

<sup>1368</sup> *Id.* at 1, n.1.

<sup>1369</sup> *United States v. Kevin Clinesmith*, Crim. No. 20-cr-165(JEB) (D.D.C.), Doc. 1 (Information).

<sup>1370</sup> *United States v. Kevin Clinesmith*, Crim. No. 20-cr-165(JEB) (D.D.C.), Doc. 22 (Government’s Sentencing Memorandum at 14).

<sup>1371</sup> See *Redacted OIG Review* at 256, n. 400.

<sup>1372</sup> FBI, Office of Professional Responsibility, *Report of Investigation* [of Kevin Clinesmith] at 7 (July 17, 2018).



making you rethink your commitment to the Trump administration[.]” and Clinesmith replied, “Hell no,” and then added “Viva le resistance.”<sup>1373</sup>

b. Statements made to the FBI regarding the Steele reporting

As an initial matter, despite multiple requests to his counsel, Christopher Steele refused to be voluntarily interviewed by the Office. Steele was hired by Fusion GPS to essentially conduct opposition research against then-candidate Trump in the midst of a U.S. presidential election. While many may find this practice unseemly, political opposition research is a firmly entrenched feature of U.S. electoral politics and existed, in one form or another, since the founding of the nation.

Nonetheless, the Office examined evidence to determine if anyone knowingly passed materially false information to the government, including to the FBI, State Department, or to members of Congress. In his two interviews with the FBI’s Crossfire Hurricane investigators and the Mueller investigators (October 2016 and September 2017), Steele provided the FBI with his understanding of how the allegations contained in his reporting were gathered, which, according to Steele, was almost exclusively through the efforts of Igor Danchenko. During those interviews, Steele told the FBI about, among other things, his understanding of Danchenko’s sub-sources, the location of those sub-sources, and the time period in which Danchenko purported to collect the information. As discussed above, a significant amount of the information Steele provided to the FBI conflicts with what Danchenko would later tell the FBI in the January 2017 interviews and beyond.

For instance, with respect to the Mikhail Kalugin allegations in Report 2016/111, Steele told the FBI that Danchenko learned of Kalugin being recalled to Moscow after he (Danchenko) randomly bumped into Kalugin on a street in Moscow. For his part, Danchenko informed the FBI that he learned of the Kalugin allegations while Kalugin assisted him with renewing his Russian passport. Danchenko also told the FBI that he (Danchenko) did not provide Steele with the Kremlin’s rationale for the recall, *i.e.*, Kalugin’s involvement in Russia’s efforts to interfere with the U.S. presidential election. By way of another example, Steele told the FBI that Danchenko had personally met with alleged Steele Report source Sergei Millian on at least two occasions. During his interviews with the FBI, Danchenko denied telling Steele that he had met with Millian in person (although he acknowledged knowing that this was Steele’s belief and Danchenko did not correct Steele on the matter). Danchenko was adamant about only receiving an anonymous call from a Russian male whom Danchenko believed to be Millian. These are just two examples in which Steele’s recollection of events differed significantly from those of Danchenko.

The Office attempted to reconcile these conflicting versions of events but was largely unsuccessful. Indeed, untangling the web of allegations proved difficult given that (i) the Office was unable to interview either Steele or Danchenko, (ii) both Danchenko and Steele said that they destroyed all notes reflecting the content of their meetings and communications, (iii) Danchenko deleted most, if not all, of his emails during the relevant timeframe, and (iv) Danchenko’s alleged sub-sources, with the notable exception of Charles Dolan, were all domiciled overseas. Thus, while the Office examined the feasibility of false statements charges

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<sup>1373</sup> *Id.* at 8.

against any participants in the creation of the Steele Dossier, there was insufficient definitive evidence to warrant bringing such charges.

c. The FBI's receipt and dissemination of the Steele Reports

The winding and disjointed path the Steele Reports traveled to arrive at FBI Headquarters on September 19, 2016 is certainly concerning. Indeed, the Office was never provided a satisfactory explanation of why the Steele Reports took 75 days to reach the Crossfire Hurricane investigators. Even more basic, FBI records were insufficient to establish who came into contact with the Reports before September 19th, to say nothing of the motivations of those individuals in deciding to advance or hold the Reports. Despite repeated interviews and good-faith attempts to refresh recollections, the path of the Steele Reports is littered with failed memories and inconsistent versions of events. The evidence gathered was not sufficient to prove at trial that any FBI personnel intentionally violated any criminal statutes in relation to the transmittal of the Steele Reports. Nor was there sufficient evidence to establish that any FBI personnel intentionally lied during their interviews.

d. The *Yahoo! News* article

As noted, on September 23, 2016, Michael Isikoff published an article in *Yahoo! News* titled "U.S. Intel Officials Probe Ties Between Trump Adviser and Kremlin."<sup>1374</sup> The article detailed Page's alleged meetings with Sechin and Divyekin and 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." The FBI's initial assessment of the article – an assessment ultimately confirmed by Steele – was that Steele had leaked the information to *Yahoo! News*. Understandably, following a review of the initial draft FISA application targeting Page, senior personnel in OI and ODAG raised concerns that the *Yahoo! News* leak revealed a potential significant bias on Steele's part. OI was initially told that the FBI's assessment was that the information in *Yahoo! News* had come from Steele.

Again, as discussed in detail above, part of the FBI's work during its October 2016 interview of Steele in Rome was to determine if Steele had been the source of the leak to *Yahoo! News*. Following the October 2016 Rome trip, several drafts of the Page FISA application were circulated that contained a footnote reflecting that Steele had, in fact, been the source of information in the *Yahoo! News* article. Upon review of these drafts, Department and OI leadership continued to press the FBI on whether Steele harbored a bias given his willingness to speak with the press. Thereafter, on October 14, 2016, a Crossfire Hurricane investigator emailed an OI attorney stating that Steele had not previously mentioned the leak (to *Yahoo! News*) and "only acknowledged it when the FBI brought it up on October 4." This is despite the fact that when interviewed by the Special Counsel *every* FBI participant in the Rome meeting could not recall the issue of the *Yahoo! News* leak being discussed with Steele. Auten, for his part, had a vague recollection that one participant in the meeting may have spoken with Steele about the issue *prior* to the meeting with Crossfire Hurricane personnel – a contention that participant adamantly denied. Nevertheless, the next draft of the Page FISA application contained a footnote stating that the FBI assessed that Steele provided the *Yahoo! News*

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<sup>1374</sup> See *supra* § IV.D.1.b.iv.



information to his business associate who, in turn, passed it on to the law firm that hired the business associate.

Understandably, Department leadership had trouble squaring this assessment with the plain reading of the *Yahoo! News* article which stated that a “well-placed Western intelligence source” (in context, Steele) had provided the information directly to *Yahoo! News*. On October 17, 2016, the FBI conducted a Lync call over Top Secret servers with OI to discuss this issue, and the FBI purported to resolve all the questions raised by Department leadership. During their respective interviews with the Special Counsel, not a single participant in that call could recollect the rationale for the changed assessment. Ultimately, the footnote in the final application submitted to the FISC reflected that Steele had not been responsible for the leak to *Yahoo! News*.

The Office was left to answer the obvious question: How did the FBI’s assessment change from the rational assessment that Steele leaked the information to *Yahoo! News* to the unfounded assessment that Steele was not responsible for the leak? Unfortunately, this question remains unanswered. Despite repeated interviews and attempts to refresh recollections, we were left with what investigators and analysts stated were failed memories and, as a consequence, inconsistent versions of events. The Office, however, struggles to credit the failed recollections of those whom the Office interviewed given the import of the information to the ODAG and senior officials in NSD.

In any event, given the dearth of contemporaneous documentary evidence reflecting the events in question, the available evidence was insufficient to definitively establish that any of the participants intentionally (i) submitted false information to the FISC, in violation of 18 U.S.C. §1621(2) (perjury), (ii) provided false statements to the Special Counsel, in violation of 18 U.S.C. §1001(a)(2) (false statements), or (iii) violated the civil rights of Page, in violation of 18 U.S.C. §242 (civil rights violations). Again, the Office was unable to establish that any government officials acted with a criminal intent to violate the law, as opposed to mere negligence or recklessness.

Nevertheless, the FBI’s conduct concerning the *Yahoo! News* issue is extremely troubling. Again, the Office is left to speculate that the FBI’s unfounded assessment of the *Yahoo! News* information was driven by the pressure emanating from FBI Headquarters executives to commence FISA surveillance of Page. Indeed, OI Attorney-1’s contemporaneous email to OI Unit Chief-1 noting that Crossfire Hurricane investigators “never asked and [didn’t] want to ask” about the *Yahoo! News* leak encapsulates the Office’s findings in this matter.<sup>1375</sup>

e. The use of the Steele Reports in the Page FISA applications

The pressure on Crossfire Hurricane investigators to commence FISA surveillance coverage of Page was palpable in the late summer and early fall of 2016. Indeed, as discussed above in Section IV.D.1.a.i, multiple FBI and Department employees described the unusual interest of high-level FBI executives in the Page FISA application. The inclusion of the unvetted Steele Reports in the Page FISA applications is problematic for the FBI, but the issue for the Special Counsel was whether it constituted a provable federal crime.

At the time of the initial application, not a single substantive allegation contained in Reports 2016/080, 2016/094, 2016/095/ and 2016/102 had been corroborated in any meaningful

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<sup>1375</sup> See *supra* footnote 655.

way by the FBI. The allegations in those Reports and used in the initial FISA application were not mere ancillary facts that supported substantiated allegations. Rather, they contained extremely serious and indeed shocking allegations to the effect that (i) the Kremlin was supplying the Trump campaign with compromising information on Hillary Clinton (2016/080), (ii) Page, an advisor to the Trump campaign, was actively engaging with Russian officials to discuss the lifting of sanctions against Russia as well as the sharing of compromising information on Hillary Clinton (2016/094), (iii) Page was serving as an intermediary between Trump campaign manager Manafort and Russian officials in what the Steele Reports described as a “well-developed conspiracy” of cooperation (2016/095), and (iv) Russia had released hacked DNC emails to Wikileaks – an idea allegedly conceived of by Page. Again, at the time these serious allegations were put into the Page FISA application, the FBI had not corroborated any of these claims.

As discussed above, the Crossfire Hurricane team received the Steele Reports on September 19, 2016. Approximately two days after receipt, the uncorroborated information from the Steele Reports was inserted into the request for FISA surveillance of Page. The Special Counsel’s interviews of the relevant players in the drafting of the Page FISA have all acknowledged that minimal efforts had been undertaken at that point to corroborate the Steele reporting. Rather, to a person, the FBI and Department personnel have all stated that the Steele reporting was deemed reliable based on Steele’s prior history as an FBI CHS as well as his past employment with the British intelligence services. While undoubtedly the past performance of a source is an important factor in determining the reliability of information, surely establishing probable cause to accuse a U.S. person, to say nothing of a U.S. presidential campaign advisor, with colluding with a foreign adversary requires, at minimum, some degree of independent corroboration.

Notably, not one of the damning allegations contained in the Steele reporting was ever corroborated: not the salacious allegations of events at the Ritz Carlton in Moscow,<sup>1376</sup> not the allegation of there being a “well-developed conspiracy of co-operation” between Trump and the Russians,<sup>1377</sup> not the allegations of secret meetings involving Page and certain sanctioned Russians (namely, Igor Sechin and Igor Divyekin),<sup>1378</sup> and not the allegation of Page serving as Manafort’s conduit for information between the Russians and the Trump campaign.<sup>1379</sup> This is true even after the FBI had offered Steele \$1 million or more for such corroboration and after Danchenko was signed up as an FBI CHS and paid more than \$220,000 for information on other matters.<sup>1380</sup> In addition, Helson told the Office that, as reflected in reports he had written on

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<sup>1376</sup> SCO-105084 (Documents Known to the FBI Comprising the “Steele Dossier”) at 2-4 (Company Intelligence Report 2016/080).

<sup>1377</sup> *Id.* at 9-10 (Company Intelligence Report 2016/095).

<sup>1378</sup> *Id.* at 8 (Company Intelligence Report 2016/094).

<sup>1379</sup> *Id.* at 9-10 (Company Intelligence Report 2016/095).

<sup>1380</sup> OSC Report of Interview of Brian Auten on July 26, 2021 at 18, 24, 31 (When asked if there was any substantive information corroborated from the Steele Reports, Auten advised that there were facts that checked out such as names and positions, but that they were not able to corroborate any of the discrete allegations in the dossier); OSC Report of Interview of Kevin Helson on July 14, 2020 at 5, 14 (Helson remembered asking Danchenko if there were any