SENATE JUDICIARY COMMITTEE
UNITED STATES SENATE
WASHINGTON, D.C.

INTERVIEW OF:

CASE AGENT 1

FRIDAY, SEPTEMBER 25, 2020

The interview in this matter was held at the Senate Dirksen Building, Hearing Room 226, commencing at 10:06 a.m.
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MR. SOMERS: This is a transcribed interview of [redacted]. Chairman Graham requested this interview as part of an investigation by the Senate Judiciary Committee in matters related to the Justice Department's and the Federal Bureau of Investigation's handling of the Crossfire Hurricane Investigation, including the applications for or renewal of Foreign Intelligence Surveillance Act warrants on Carter Page.

Will the witness please state his name and his current position with FBI for the record.

THE WITNESS: [redacted], supervisory special agent.

MR. SOMERS: On behalf of Chairman Graham, I want to thank you for appearing today and we appreciate your willingness to appear voluntarily.

My name is Zachary Somers. I'm the chief investigative counsel for the Majority on the Senate Judiciary Committee. I'd now like to ask everyone else who is here in the room other than your personal counsel to put their name on the record.

MR. BAKER: Arthur Baker, senior investigative counsel for the Majority staff, Senate Lindsey Graham, Chairman.

MR. HASKELL: Alex Haskell, Ranking Member
Feinstein, Minority staff of the Judiciary Committee.

MS. ZDEB: Sarah Zdeb, senior counsel for the Minority Ranking Member Feinstein.

MR. FAUSETT: Good morning. I'm Andrew Fausett, senior counsel for Ranking Member Feinstein for National Security.

ARMS, FBI OGC.

ARMS, FBI OGC.

ARMS, FBI Office of General Counsel,

ARMS, FBI OGC.

ARMS, FBI OCA.

ARMS, DOJ OLA.

ARMS, DOJ OLA.

MR. SOMERS: Thank you.

The Federal Rules of Civil Procedure do not apply in this setting, but there are some guidelines that we follow that I'd like to go over.

Our questioning will proceed in rounds. The Majority will ask questions for an hour and then the Minority will have an opportunity to ask questions for an equal period of time. We will go back and forth in this manner until there are no more questions and the interview is over.

Typically, we take a short break at each hour of
questioning. If you want to take a break apart from that, please let us know.

As I noted earlier, you're appearing today voluntarily and, accordingly, we anticipate that our questions will receive complete responses. To the extent that you decline to answer our questions or if counsel instructs you not to answer, we will consider whether a subpoena is necessary.

As you can see, there's an official reporter taking down everything that is said to make a written record. So we ask that you give verbal responses to all our questions.

Do you understand that?

THE WITNESS: I do.

MR. SOMERS: So that the reporter can take down a clear record, it is important that we don't talk over one another or interrupt each other if we can help it.

The Committee encourages witnesses who appear for transcribed interviews to freely consult with counsel if they so choose, and you are appearing today with counsel.

Could your counsel please state their names for the record.

MS. ARGENTIERI: Nicole Argentieri, O'Melveny & Myers.
MR. HEISS: Howard Heiss, O'Melveny & Myers.

MR. SWICK: Richard Swick, Swick & Shapiro.

MR. SOMERS: We want you to answer our questions in the most complete and truthful manner possible. So we will take our time. If you have any questions or if you do not understand one of our questions, please let us know.

If you honestly don't know the answer to a question or do not remember it, it is best not to guess. Please give us your best recollection and it is okay to tell us if you learned the information from someone else. If there are things you don't know or can't remember, just say so and please inform us who, to the best of your knowledge, might be able to provide a more complete response to the question.

You should also understand that although this interview is not under oath, you are required to answer -- you're required by law to answer questions from Congress truthfully. Do you understand that?

THE WITNESS: I do.

MR. SOMERS: This also applies to questions posed by Congressional staff in interviews. Do you understand this?

THE WITNESS: I do.

MR. SOMERS: Witnesses who knowingly provide
false testimony can be subject to criminal prosecution for perjury or for making false statements. Do you understand this?

THE WITNESS: I do.

MR. SOMERS: Is there any reason you are unable to provide truthful answers to today's questions?

THE WITNESS: No.

MR. SOMERS: Finally, we ask that you not speak about what we discuss in this interview with anyone else who is outside of the room -- who is not here in the room today in order to preserve the integrity of the investigation.

That's the end of my preamble. Do you have any questions before we begin?

THE WITNESS: Not at this moment.

[Name]: Mr. Somers, I just want to clarify or verify for the record, we're in an unclassified setting today?

MR. SOMERS: That is correct.

[Name]: [Name], you understand that. Correct?

THE WITNESS: I do, yes.

MR. SOMERS: It is now 11 after 10. We will begin our first round of questioning.
EXAMINATION BY THE MAJORITY

BY MR. SOMERS:

Q. [Redacted], have you read or reviewed the IG's December 2019 report on the Carter Page FISA application?

A. I have, yes.

Q. And for the record, are you the person identified as Case Agent 1 in that report?

A. I am.

Q. Other than your personal counsel and attorneys here from the FBI and DOJ, did you consult with anyone in preparation for today's interview?

A. I did not.

Q. From the IG report and the electronic communication that opened the Crossfire Hurricane, it appears the investigation was opened on July 31, 2016. What was your position at the FBI on July 31, 2016?

A. On July 31, 2016, I was a special agent assigned to the New York Office.

Q. And when were you assigned to the Crossfire investigation?

A. I received a call that Friday, I think the 30th of July, if I recall correctly. I returned a message from SSA 1 asking -- left a message for me to call him back. I called him back the following day and

Q. August 3rd, and that was a temporary duty assignment?
A. That was, yes.

BY MR. BAKER:

Q. And you said you were assigned where?
Q. So did you know SSA 1 prior to you being called and told to report?
A. I did, yes.

Q. What was the nature of that relationship?
A. I had finished up an 18-month TDY that turned out to be a 20-month TDY at FBI Headquarters in the [REDACTED] unit, one of the units. I knew SSA 1 from my time at FBI Headquarters.

Q. Did you have a supervisory relationship with him? Did he supervise you?
A. No. I was a program manager in Headquarters. So he was a GS-14. I was a GS-14 at Headquarters. We interacted on day-to-day activities of the squad. I oversaw a portion and he oversaw a portion.

Q. When you say a program manager, what is that?
A. A program manager is GS-14 that comes to Headquarters typically on a 18-month TDY to work in a specific unit. That unit has an SSA. The program manager is a supervisory special agent that reports to a unit chief at Headquarters. You oversee a specific program at FBI Headquarters.

Q. What type of squad were you on?

A. At FBI Headquarters?

Q. Yes.

A. It was a [redacted] Unit.

Q. And this was your first tour?

A. This was my first tour, yes.

MR. BAKER: Thank you.

BY MR. SOMERS:

Q. I'm sorry if I missed it. When was that Headquarters program manager assignment?

A. I came down to FBI Headquarters in November 2014, finished up my assignment at the end of June 2016.

Q. So you weren't gone for long then?

A. I was gone for a month.

BY MR. BAKER:

Q. But that is -- your first tour is where you met SSA 1?
A. I knew of him. I was in the Russian Counterintelligence Program for about 10 years prior to the Headquarters tour. I knew SSA 1 just through rotation.

Q. So how long have you been in the Bureau total?

A. It will be 16 years on October 31st.

Q. So is Russian counterintelligence, for lack of a better term, your area of expertise?

A. It was up until, roughly, 2017 when I switched over to Chinese counterintelligence.

Q. But the CI world is what you're versed in in the Bureau?

A. That's correct.

Q. You switched the country?

A. Correct.

MR. BAKER: Okay. Thank you.

BY MR. SOMERS:

Q. Just to wrap up some of our dates here, when did you rotate off? When did you stop your involvement with Crossfire Hurricane?

A. Roughly, February 2017. I competed for and received a supervisory special agent job in the New York Office in Chinese counterintelligence. I was named to that position in February of 2017. At that point, I
started to unwind my work to get up to speed in my new squad.

Q. Did you have a -- that's when you formally broke with Crossfire Hurricane? Did you have any involvement after February of 2017?

A. I did to a limited degree. I participated in the interviews of Carter Page when they occurred. I believe the first was one was in March 2017.

BY MR. BAKER:

Q. So did you finish your complete TDY before you reported to your new assignment or you left earlier?

A. Yeah. I did. To clarify, I went to FBI Headquarters to work Crossfire Hurricane in August 2016. I got back to New York in November. I think it was the 3rd of November of 2016. I continued to work --

BY MR. SOMERS:

Q. So you were only in -- you were at Headquarters -- I just want to make sure I'm following this correctly.

A. Sure.

Q. You were at Headquarters from August 3rd to November of 2016?

A. That's correct.
Q. You remained on the case, investigation, from November to February 2017 like a formal -- that was an assignment role?

A. Amongst others, yes. I was still running other cases.

Q. Then you had some involvement after February?

A. Not as a case agent, but because I knew of the investigation in Carter Page, I participated in the interviews.

Q. Any other involvement than those Carter Page interviews?

A. I did the -- I looked at the Woods for the second renewal which was done in April 2017.

Q. Did you sign the Woods form on that?

A. Yes.

Q. Did you do any -- did you help out at all with the Woods process on the final?

A. I did not. The Woods process, just to be clear, there are several steps in the Woods process. So what do you mean by the --

Q. I mean did you -- so as I understand the Woods process, shortly before a -- and it's, obviously, a long Woods process that goes on, but what I was referring to, and I should have been more specific, was
my understanding is shortly before a FISA is submitted
for final reads by everybody, the case agents and a
supervisor go over the file, whether it's physical or on
a computer, and make sure that the allegations in the
FISA line up with the allegations in the Woods file.

So what I was asking you is did you take part in
the sort of final records check on the third renewal?

A. The third renewal, no.

Q. But you did for the --

A. The initiation, the first renewal, and
the second, I played the role of supervisor through the
Woods process.

Q. You signed the Woods form for the second
renewal as a supervisor?

A. Correct.

BY MR. BAKER:

Q. While we're on Woods, I would just be
curious. From your perspective, what is the -- how is
the responsibility on the Woods requirements divided
between, say, a case agent and the supervisor? It's my
understanding that there's a little bit of role from
both.

A. Correct.

Q. How exactly is that?

A. As a case agent, you're responsible for
taking what we call a cert copy of the FISA application
going to the court, going through that FISA essentially
line by line absent some of the rote language and whatnot, but marking down each
factual assertion and then the case agent provides
documentation to back up the factual assertion and the
assessment or each statement and to mark those off so
each factual assertion has the backup documentation.

The case agent then usually hands it over to the supervisor. How the supervisor does it depends on the supervisor. The supervisor will then go either alone or with the case agent in the room with him or her, ensuring that there is proper documentation for each factual assertion in the document, and then once that's -- sometimes there's some questions as far as where a document is. There is -- the Woods file itself can be quite lengthy at times, and he just ensures that there is proper documentation and then also to ensure there are no transposing of phone numbers, email address, things along those lines; and they sign the Woods document and it get passed over to -- up to Headquarters.

BY MR. SOMERS:

Q. In this process, does it ever occur -- I'm just asking a general question, not a
specific. In that process, does it ever occur that a supervisor comes back to the case agent and says this allegation is not supported by the Woods file? Have you ever experienced that?

A. Not necessarily, not in my experience.

Q. So more minor errors might occur?

A. Correct.

Q. And then, as I understand it, the four Carter Page FISA applications, the actual FBI agent or supervisory special agent that signed those FISAs was not either the case agent assigned or the supervisory special agent assigned. Who signed the Woods form was actually the Headquarters program manager; is that correct?

A. Yes.

Q. Is that --

A. Yes.

Q. What I was really going to ask you is have you ever played that role?

A. As the affiant on a FISA? Yes. Your question is have I been an affiant on a FISA?

Q. Well, you said earlier, I think you said, you were a program manager.

A. Right. Right.

Q. So I'm asking while you were a program
manager, had you ever served a similar role?

    A.     As an affiant of a FISA, yes, I have.

BY MR. BAKER:

    Q.     Before, you said, when you were explaining a second ago about Woods, that there was some language. I think you said rote language.

    A.     Yes, sir.

    Q.     Would that mean the same thing like boilerplate or something that goes in all --

    A.     Yeah. That goes in all, ...........................

                      .............................................. That's the language that's typically kept at Headquarters. That's something that the field is not expected to provide Woods documentation for.

    Q.     So that would be something that somebody at Headquarters has and puts it in --

    A.     Should.

    Q.     -- the appropriate place?

    A.     Yes. Does it exist, yes. ..........................

                      ............................................. Yes.

BY MR. SOMERS:

    Q.     So in terms of the Woods process, what role does the Headquarters program manager play?
Q. Let's ask specifically. I'm asking specifically for the Carter Page FISA applications. What role did the Headquarters program manager on the three that you worked on, what role did they play?

A. They played the role of the affiant.

Q. And what was their role in the Woods process?

A. The program manager receives the Woods documentation from the field and the affiant reads through the FISA, ensures as the program manager to the best of their knowledge that the facts line up with what they are aware of and signs the Woods application that says that it's accurate and true to what you believe at the time.

The program managers are not case agents. They're not involved in all the details of case. They do receive the Woods from the field, ensuring that the Woods procedure is followed, and you run checks on the names or checks that are done on the Headquarters level, and then you sign the form. I think there's another Woods form, if I recall correctly.

MS. ARGENTIERI: Just to clarify, you weren't the program manager for the Carter Page?

THE WITNESS: Correct. I was not the program
manager. This is just what an affiant does. That is the program manager portion.

BY MR. BAKER:

Q. And CI is most of your world, but --

MS. ARGENTIERI: Just for the record, he wasn't the affiant. So [REDACTED] was just testifying about the process and what he was familiar with.

BY MR. BAKER:

Q. So this program manager, his role or her role seems different to me than in a regular criminal case; whereas, there's kind of a case agent that's taking this thing all the way through and they're ultimately the ones that present it to the court and swear under oath. This program manager, you said is not really part of the investigation per se?

A. Correct. It's not part of the investigation. They sometimes, depending on the investigation, play a role helping with drafting, but typically not.

Q. Helping with what?

A. The drafting of the application, but typically not. You're aware of investigation in the field.

Q. Would they, this program manager, would they go to meetings about the case or, I mean, do they
do anything other than just receive this package at some point?

MS. ARGENTIERI: I just want to clarify the question is generally speaking and not as to --

MR. BAKER: Yes, generally speaking.

THE WITNESS: From a general perspective, I would say it depends. It depends on the FISA being sought. If it's a FISA on an intelligence officer who's bread and butter for the field, the department manager may not be as involved. If it's a new technique that we want to utilize or we're asking for, the best -- I'm sorry. If it's a new technique, you would have to speak with OI or advisors. I've done that once or twice, and I think part of it, honestly, was because I worked with WFO. With the proximity to WFO to FBI Headquarters, we were able to have one specific FISA. That's one time.

BY MR. BAKER:

Q. You worked at WFO or with WFO?

A. When I was at FBI Headquarters -- that's how I knew SSA 1 -- part of that portfolio consisted of working with WFO.

MR. BAKER: Okay.

BY MR. SOMERS:

Q. In this case, as I understand it from the IG report, the Headquarters program managers, I don't
know who it was for the three FISAs you were involved in because it's not broken down that specifically, but SSA 2 and SSA 3 were with the Headquarters program managers or the affiants on the four FISA applications.

So I just want to further understand. They were otherwise working on aspects of the investigation?

MS. ARGENTIERI: If you know.

THE WITNESS: Yeah. SSA 2, if we're going to refer to SSA 2 as the affiant of the first FISA, I recall him sitting in on a few meetings with the team. SSA 3 -- it's hard to assign any titles to individuals -- he was aware of day-to-day activities of the investigation.

BY MR. SOMERS:

Q. I guess I should have said that -- I was looking at the wrong chart here. They eventually became involved in the investigation. It looks like they were not originally involved.

It looks like SSA 3 worked on the Carter Page investigation starting in around January of 2017 and it looks like SSA 2 worked on the George Papadopolous and Michael Flynn investigations beginning in January 2017 through May. So this would have been the time you were rotating.

A. I don't want to confuse the matter,
but -- are you referring to that?

MS. RIDI: Can we know where you are?

MR. SOMERS: I'm sorry. I'm looking at the chart on page 82 and 83 of the IG report. I apologize.

MS. ARGENTIERI: Can we just stop for a second to make sure he notes -- so we're all on the same page?

MR. SOMERS: Absolutely.

[Blank]: What's your question?

BY MR. SOMERS:

Q. Ultimately what I'm just trying to get at is how SSA 2 and SSA 3, especially for the first FISA application, how did they gain their knowledge of what they were swearing to by signing the applications?

MR. HEISS: If you know.

[Counsel confer with the witness.]

MS. ARGENTIERI: I'm sorry. Can you just repeat the question one more time?

BY MR. SOMERS:

Q. Yeah. Sorry. I'm just trying to understand how -- so SSA 2 and SSA 3, I'm just trying to understand how they swore to -- they verified the FISA application. I want to understand how they gained their knowledge of the facts that they were signing off on.

If it's easier just to keep the first FISA application, I don't need to know specifically how each
of them --

A. Yeah. I do know that if we're keeping
with the initiation application, SSA 2 did take part in
one meeting when I was there, and that's all I can speak
to.

Q. So you say you never spoke to him
directly about the application?

A. I think I may have as he was the program
manager. So there may have been questions, but I can't
recall specifics.

Q. You don't recall whether there was any
pushback on any facts on the back and forth?

A. No. I don't recall.

BY MR. BAKER:

Q. In general and outside of this case,
would the person that swears to a FISA, would they go
back to case agents or back to OGC to ask clarifying
questions about what's in the package, or when they get
it, it's sort of wrapped and ready to go?

MR. BAKER: That's to your knowledge.

BY MR. BAKER:

Q. Yeah, as far as you know.

A. To my knowledge, it's usually wrapped and
ready to go.

MR. BAKER: Thank you.
BY MR. SOMERS:

Q. Earlier, you spoke about the Woods procedure in some detail. How did you gain that familiarity with the Woods procedures?

A. As a case agent or as a supervisor?

Q. As a case agent.

A. It was essentially on-the-job training.

Q. So there was no specific training for it?

A. No, there was not.

Q. What's the purpose of the Woods procedure, as you understand it?

A. It is to ensure that the facts are accurate and correct in the FISA application.

Q. Approximately how many FISAs have you worked on in your career, ballpark?

A. Can you clarify? What do you mean by --

Q. As a case agent.

A. As a case agent including initiations or renewals?

Q. Renewals and initiation.

A. Approximately, 10.

Q. How many of those were prior to Carter Page?

A. Most of them, almost all of them.

Q. Did you receive training on the FISA
process?

A. Again, no. It was mostly on-the-job training.

Q. Did you work on investigations that involve FISA coverage prior to -- you described 10 circumstances where you were the case agent on a FISA application. Had you worked on other investigations where there was FISA coverage prior to that?

A. Could you clarify?

Q. I'm trying to understand. You said you received no training, correct, on the FISA process?

A. Nothing formalized. There's some, you know, minor training, but nothing formal.

Q. So prior to the first time you were case agent on a FISA application, had you worked on other investigations that involved FISA coverage?

A. Yes.

BY MR. BAKER:

Q. When you came out of Quantico, did you have a training agent that you shadowed for a certain period of time?

A. I did, yes.

Q. My understanding of that process would be to sort of put some real life practical training to what you just got at the FBI academy.
A. That's correct.

Q. During that training time, do you recall if you got -- it seems like CI was what you were destined to do. Did you get training? Did you sit in? Did you monitor any ongoing FISAs? Was that part of your developing expertise?

A. That was, yes.

Q. Do you remember how extensive that was? Again, my understanding is a lot of times, new agents, they get put on a Title III. They get put on a FISA, and you spend a lot of time in your very early infancy covering a shift or whatever. Was that your experience?

A. It was, yes.

Q. Do you recall ever going to any formal training, maybe at Quantico or some other place, where CI was the topic and maybe at some unit, it might have been FISAs, maybe an overview of problems with them or best practices, or anything that you remember that would supplement your training?

A. I believe when CI agents do additional training down at Quantico at the Counterintelligence Training Center, or I forget the whole term for it. When I went, it was roughly month down at Quantico. If I recall correctly, there was probably some discussion of FISA, probably national security related.
Q.     Any -- my understanding is the FBI has something called Virtual Academy or some online training, for whatever name it might be. Did you ever do any online trainings that went towards best practices for FISA or anything like that?
A.     I can't recall right now.

MR. BAKER:  Okay. Thank you.

BY MR. SOMERS:

Q.     So in terms of your on-the-job training or what you picked up about the FISA process from working on them, what did you understand the duties that were owed to court in a FISA application to be?
A.     As a case agent?
Q.     Yes. Well, one, as a case agent, but, two, from the FBI?
A.     To --
Q.     Let's start as a case agent.
A.     To rephrase that, for an ongoing FISA or a FISA application?
Q.     For an application, what duties are owed to the court in terms of what goes in the application?
A.     To provide facts of the case. When -- to provide facts of case as the case -- when you are working on the FISA itself. So the question, if I understand the question, the duties of a case agent for
a FISA request form is to lay out the facts of the case as they are OI, but it goes to several chains within FBI Headquarters and then it's passed over to OI, DOJ OI, and OI makes a determination if there's probable cause for that FISA on the individual or on the entity.

Q. So have you ever heard the phrase "duty of candor" in relation to a FISA?

A. After the fact, but I think that's implied by the work we do on FISAs.

Q. I don't understand.

A. I think the -- okay.

[Ms. Argentieri confers with the witness.]

THE WITNESS: The obligation is to provide truthful information to the court.

BY MR. SOMERS:

Q. What about fulsome information to the court; is that something that --

A. Yes.

Q. What about exculpatory information?

A. Yes.

Q. What about information that contradicts if you have -- if you make an allegation in a FISA application -- I'm just asking generally -- but you also have information that contradicts that allegation; is there a duty to provide that contradictory information
at least in some cases to the court?

A. Yes, but to clarify, we don't report directly to the court. We report to OI.

Q. I'm just asking about your knowledge. So I understand there to be a duty of candor and duty to provide exculpatory information. The OGC attorneys would be like more involved in the process.

I'm just trying to understand the trickle down. So there seemed to from -- I've been doing this investigation for a long time. People in the General Counsel's Office understand the duty of candor to the FISA Court.

A. Yes.

Q. What I'm trying to understand is you, as a case agent working on FISAs, did you have that knowledge that you've been told by the attorneys at FBI that you have a duty to candor to provide exculpatory information and provide things that may undercut in some circumstances the FISA? I'm trying to understand what the case agent knows about that.

So as a case agent, were you familiar with the due of candor?

A. Is to provide all the proper information.

BY MR. BAKER:

Q. It's your understanding that duty is
continuing; it doesn't just apply when something is
being asserted or a fact being passed up; if there's
information contrary or maybe supplementary, there's a
duty to report the circumstances and facts as they might
change; is that your understanding?
   A. It is, yes.

BY MR. SOMERS:
   Q. Were there any discussions of these types
of duties for the Carter Page FISA application, a duty
of candor, starting with the first application?
   A. Could you repeat the question? I'm
sorry.
   Q. For the Carter Page FISA application, did
you have any discussions on the Crossfire Hurricane team
about the duty of candor?

   [REDACTED]: Specifically the first application.
   THE WITNESS: Specifically as to that case,
specifically as to the duty of candor?

BY MR. SOMERS:
   Q. Yes.
   A. Not that I recall.
   Q. Do you recall any conversations with
either OI -- let's start with OI -- about, Hey, we have
all the facts in here in the first Carter Page FISA
application?
A. I'm sorry. Are you asking me if OI asked me for all the facts in the Carter Page FISA application?

Q. If they asked about -- whether they the team and you became aware or they asked you directly do we have all the facts in this application?

[Hold on one second.]

[Counsel confer with the witness.]

THE WITNESS: I had an ongoing discussion with the OI attorney as we were drafting the FISA as to the facts of the investigation.

BY MR. SOMERS:

Q. Okay. What was that ongoing discussion?

A. It was continuous updates, questions, updates for myself, questions from the OI attorney.

Q. Did he ask you about specific allegations? I assume "he". I won't ask his name.

A. I'm sorry. Yeah. It was a "he". Did he ask about specific allegations?

Q. In the Carter Page, in the initial Carter Page FISA application.

A. I can't remember only because there were numerous discussions throughout the drafting process.

Q. What about the Office of General Counsel; did they have questions about any of the facts?
A. The Office of General Counsel participated in discussions with the team and with OI throughout the course of the investigation.

Q. Did you have a direct -- not direct conversations. Did you have any conversations with OI where FBI OGC was not involved?

A. Yes.

BY MR. BAKER:

Q. For the record, what does OI stand for?

A. Office of Intelligence.

Q. And those individuals that work in the Office of Intelligence, they sit where, generally?

A. They're at Main DOJ.

Q. Main DOJ, that's the Department of Justice building across the FBI Headquarters?

A. Right.

Q. So they're a DOJ entity, not an FBI entity?

A. They're a DOJ entity who's responsible for drafting FISAs.

MR. BAKER: Thank you.

BY MR. SOMERS:

Q. We'll get into a lot more specifics, but in general, were there discussions -- did you have a discussion on the Crossfire Hurricane team about whether
certain information needed or didn't need to be included -- and give me a second to finish the question -- either needed or didn't need to be included in a FISA application, but I'm asking specifically with regard to like a duty of candor or some duty owed to the court?

[Witness confers with counsel.]

THE WITNESS: So to better answer the questions, I think a better understanding of the process is probably required.

BY MR. SOMERS:

Q. Okay.

A. Of how FISA are drafted and the interactions that occur between the team or the case agent and OI.

Q. What I'm trying to understand is whether you recall any conversations in the team of, Hey, we need to provide this to the court or we don't need to provide this to the court.

A. It's always in the front of our mind to provide to the court. When we draft the request form, it goes to OI, which is approved up the chain through FBI Headquarters. OI receives that request form, makes the determination if they want to move forward with the FISA.
Once OI makes that determination, OI assigns an attorney to that. I'm just talking specifics. You can get into the detail.

The OI attorney contacts the case agent and has ongoing dialogue between the case agent and the OI attorney; whereby, as the application is drafted, there are numerous questions asked by the OI attorney. Information is provided to the OI attorney from the case agent.

So it's always on the front of our mind to provide everything to have total candor to the court, which the FISA will ultimately end up to with all the information and facts of the case.

Q. But the OI attorneys don't have access to the Woods file, for instance?

A. They do not. Now, as the OI attorney drafts the FISA, the OI attorney, in my experience and this as well, this specific FISA as well, the OI attorney can incorporate other documents or language that they see fit into that FISA and provide that documentation to the case agent for the Woods file, but they do not -- to answer your specific question, they do not see the Woods file.

Q. Did the OI attorneys have access to the confidential human source transcripts Source 2 and
George Papadopolous, for instance?

A. I don't recall if they had that specific transcript.

BY MR. BAKER:

Q. If they were to ask you for that, would that be something that you --

A. I absolutely would have provided it.

BY MR. SOMERS:

Q. But in general, is it likely that the OI attorneys had access to the confidential human source transcript between George Papadopolous and confidential human sources?

[HB] He said in general.

BY MR. SOMERS:

Q. I'm talking in general, is that -- what I'm getting at is --

A. I think you're asking a general question, but you're asking a specific question.

[HB]: Can we go off for a second?

MR. SOMERS: Yes.

[Counsel confer with the witness.]

[HB]: Thank you.

THE WITNESS: Could you repeat the question, please?

BY MR. SOMERS:
Q. I want to know whether it was likely that
the OI attorneys had access to the confidential human
source transcripts in the Carter Page FISA or in the
Crossfire Hurricane investigation.

A. If the OI asked for information, as we
provide the facts to them, we would provide the
documentation to them.

Q. If they ask for it?

A. Yes.

Q. But would you agree with the general
statement that the agents working the Crossfire
Hurricane investigation had better access to
confidential human source transcripts than the OI
attorneys?

A. Yes. We have access to them, but if they
asked, they are provided.

Q. So what I'm asking is since the agents,
presumably, had better access to the evidence, did you
all have discussions about whether this piece from, for
instance, a confidential human source transcript should
go in the FISA or not?

A. We had ongoing discussions with OI about
the facts of the investigation.

Q. No. I'm not asking about with OI. I'm
asking about internally on the Crossfire Hurricane team
at the agent level, did you have discussions about
whether this fact should or should not go into the FISA
application?

A. Which fact in particular? Are you
referring to a specific fact?

Q. For instance, an exculpatory -- I won't
classify the statement -- a statement made by George
Papadopolous that to cooperate with the Russians would
be a crime, let's say a fact like that. Were there
discussions about whether facts like that did or did not
need to be provided to the court at the agent level or
the supervisory special agent level on the Crossfire
Hurricane team?

A. I don't recall any specific conversation
like that about that fact or about that -- about not
providing facts to the court.

Q. Or not providing or providing?

A. Not providing or providing facts to the
court?

Q. Yes.

A. We provided facts as we saw fit. Excuse
me. We provided facts to the court, to the OI -- I
don't want to say to the court. I think to OI is
better.

Q. Okay.
A. I don't recall any specific discussions about what facts should or shouldn't be sent to OI.

BY MR. BAKER:

Q. It sounds like you, as the case agent, and somebody in OI is the conduit that is set up with this FISA and the back and forth exchanges as it's being built; is that correct?

A. That's correct, yes.

Q. And if this OI attorney needs additional information or just needs information, they reach out to you?

A. They do. In this specific case, the OI attorney had contact with others as well on the team, as it was. So he received information from myself and possibly from others. I believe there are a few instances where other information was provided to the OI attorney.

Q. So would you know that these others on the Crossfire Hurricane are providing or having some kind of conversation or communication with the OI attorney? Was the OI attorney's request sent out in an email where certain people always got or did you get a call and, if you weren't there, they'd call somewhere else?

I'm trying to figure out the continuity on the
Bureau side.

A. Yes. To the best of my recollection, I was copied on any portion if there were emails sent. Now, a lot of the discussions sometimes occur telephonically or over our Voyage system. So in those instances, there may not be specific documentation to it, and there was some continuity in case I was out of the office or somewhere else.

Q. That was my next question. If you were out for a day and the OI attorney needed something, would they automatically communicate with others in trying to get you or would they learn you weren't there and call around until somebody answered the phones to answers the phone?

A. No. To answer that specific question, I know there were several instances where I was on other operations during the investigation. To the best I could, I would notify the OI attorney that I was going to be out and if the OI had any questions, to reach to other individuals on the team.

Q. Okay. So it was not a -- was there ever a possibility that somebody on your team, on Crossfire, is providing something or entertaining a request from OI that you wouldn't learn about?

A. Yes.
Q. There is a possibility?

A. There is a possibility they could have sent something, had a conversation with the OI attorney and just not relay that conversation to me only because of the tempo of the investigation. If somebody was out, there is possibility that may have occurred.

Q. Do you know that it ever did occur factually?

A. I can't recall a specific incident.

Q. You indicated you were deployed on another matter while --

A. The same -- I'm sorry. I don't want to talk over you.

No. I was deployed for other operations during the course of the investigation. So I may have been overseas or I may have been up in New York for other matters.

Q. Unrelated to --

A. Related to Crossfire Hurricane.

MR. BAKER: Related to Crossfire, okay.

MR. SOMERS: I think I know the answer to this from your previous --

[  confers with the witness.]

Okay. I'm sorry.
BY MR. SOMERS:

Q. I think I know the answer to this from your answer to my previous question, but do you recall an instance where someone raised a we need to tell OI this fact and they were overruled?

A. I don't recall.

Q. Backing up for a moment to kind where we started, do you know why you were assigned to Crossfire Hurricane?

A. I do not.

Q. Do you know if SSA 1 specifically requested you to be a part of the team?

A. I do not.

Q. Do you know if another individual was originally assigned in your place and SSA 1 overruled that assignment?

A. No.

BY MR. BAKER:

Q. But it was SSA 1 that called you and notified you you're coming down to work on the case?

A. Yes. He asked if I would be willing to come down. It wasn't a mandatory assignment. It was a -- he asked me to participate in the investigation.

Q. And he didn't give any reason why your skill set or your profile was desired?
A. Given the conversations we had, it was over an open line. So there was no discussion. There was no further discussion as to why I was -- after I arrived.

Q. When you were -- there was no further discussion when you arrived?

A. No.

Q. You were just called out of the clear, We need you down here; you went down and did what you were told to do, but nobody ever told you why you were the guy?

A. That's correct.

BY MR. SOMERS:

Q. You were Headquarters program manager until June of 2016. You went back to the New York Field Office for June and July of 2016. Correct?

A. For -- essentially, it was just July.

Q. Prior to that Headquarters program manager assignment, you were in the New York Field Office?

A. I was, yes.

Q. Were you aware of the previous investigation of Carter Page conducted by the New York Field Office?

A. I was not.
Q. So you didn't work on it?
A. I did not.

MR. SOMERS: Let me see where I want to go with my time left here.

[Mr. Somers peruses notes.]

BY MR. SOMERS:

Q. You indicated earlier that you took part in the March 2016 -- I'm sorry -- March 2017 interview of Carter Page?
A. I did, yes.

Q. Did you write the 302s of those interviews?
A. No. I believe they were written by Case Agent 6.

Q. Did you do the questioning during those interviews?

Let me back up. How many agents were in that interview with Carter Page that occurred in March of 2017?
A. The initial interview?
Q. Yeah. How many interviews of Carter Page in March of 2017 did you take part in?
A. If I recall, there were three.
Q. Okay. And how many agents were in those interviews?
A. The initial interview, there were -- agents, there were two, myself and Case Agent 6.

Q. Was an analyst there?

A. An analyst was present for one or two. I would have to check the records to see how many interviews I conducted, but this is just to the best of my recollection. I know the SOS did take part in one of the interviews.

Q. So Case Agent 6 wrote up the 302 in all of those interviews?

A. I believe so, yes.

Q. As I understand it, in general, when an FBI agent asks questions, another agent takes note, in general. Is that a fair characterization?

A. Typically, yes.

Q. So would you have been the agent who asked the questions then?

A. It's a give and take. I think I led the interview.

Q. Okay. That's fine.

A. That's an accurate assessment.

BY MR. BAKER:

Q. Was Case Agent 6 more of a junior agent to you?

A. He was time-wise, yes. Yes.
Q. Time-wise indicates something else. Was he not junior to you?

A. Time-wise, he was, but he was somebody who had -- who was good in interviews. He didn't take a backseat to a senior agent during the course of an interview. It was something I recognized in him. He was a good agent.

BY MR. SOMERS:

Q. Had you worked with him before?

A. I was assigned to his squad for a month when I was in New York. I knew him and I got to know him a little bit and he helped me out during the course of the investigation when I was assigned to Headquarters. If we needed help up in New York, he was the individual I spoke to at times.

Q. So was he in the New York Field Office?

A. He was in the New York Field Office.

Q. He was not assigned to Headquarters?

A. He was not.

BY MR. BAKER:

Q. Do you know how he got selected for a Crossfire assignment?

A. So I needed a connect in New York, because we were running this Headquarters out of -- excuse me -- running this investigation out of
Headquarters. So I needed a contact out of New York. He was somebody I view as mature enough to handle some minor tasks. I mean, he didn't do a ton when I was down at Headquarters, but if we needed some assistance, he helped out.

He was mature enough to handle the information we were providing, which was fairly sensitive, obviously.

Q. So did you ask him to come down to join the team?

A. No. No. He wound up actually joining the Special Counsel's Office or, actually, I think the first or second iteration. I was not -- I did not ask him to do that. I had already rotated off.

BY MR. SOMERS:

Q. Would it be fair to say he didn't take over for you as the case agent on Carter Page?

A. That would be a fair assessment.

Q. So the first you hear of Crossfire Hurricane is when you get the call from SSA 1?

A. The first I heard of Crossfire Hurricane is when I arrived in Washington, D.C. and was briefed into the case and I signed an NDA about the case.

Q. What did they tell you would be working on? Why did you take the assignment?
A. Why did I take the assignment?
Q. Well, you said the first time you learned about it is when you got read in on the 3rd, but, obviously, you had already agreed to come down. What were you told?
A. I was told it was a sensitive investigation and it was related to -- I think the conversations we had on open lines were fairly opaque, but my understanding was it was a potentially sensitive investigation and it is -- if I wanted to participate, I was being asked to take part in it.
Q. You said you signed a -- did I hear you correctly that you signed an NDA when you came down --
A. Correct.
Q. -- on August 3rd?
A. Yes.
Q. Saying you wouldn't disclose what?
A. Information regarding the case to others.
Q. Even in the Bureau?
A. I don't know.
Q. Have you ever signed any of those before working on a case?
A. I believe I have.
Q. I guess what I'm asking is is that standard?
A. It depends on the investigation. It depends on the sensitivity of the investigation.

Q. But it's not unheard of?

A. It's not unheard of.

BY MR. BAKER:

Q. Did you get any kind of orientation when you reported or were you aware of others who came onto the case, Case Agent 6 or whatever; did you get any kind of welcome to Crossfire Hurricane, this is where we're at, this is where we're going, anything like that?

A. When I arrived, the case was still in more or less in its infancy. I sat down with Case Agent 2, I believe, and the SOS who I had known previously and who I had worked closely with on other investigations. I believe SSA 1 was on travel when I arrived.

So he was one who read me into the investigation. He was somebody I had known of, didn't work with, but he was very senior and he read me into the investigation.

Q. And when you were you replaced by, I think you said, Case Agent 6, what kind of handoff do you do to the case agent coming in?

A. So handoffs are not clean. He knew of -- when I came back to New York, he was -- in November, he was essentially kind of my second if I needed assistance in things. I believe he helped out a
little bit.

When I received my promotion, he had access to the case file. He was one of the few individual in the FBI who had access to case file. So he could read anything that was put into the case file, and there were sometimes some verbal discussions with him, but that's about it.

My new assignment took time away from me being able to beef him up as I was taking over a new squad. So it depends on how much time you have. He was aware of the investigation and where we were at at that time.

Q. So am I correct in understanding that time few individuals had access to the case file?
A. That's correct.

Q. Is that intentionally restricted?
A. Yes.

Q. And that's done why?
A. If I recall --

[Witness confers with black.]  
THE WITNESS: Sorry. So there are levels of access to cases. This was a prohibited case, whereby --

BY MR. BAKER:

Q. I'm sorry. Prohibited?
A. Prohibited. Regular cases -- there are several levels. There's an open investigation,
restricted case, and prohibited. So it's hidden even further from others in the FBI for the sake of various reasons, given political sensitivity to an investigation. That's why it was a prohibited case by levels above me. I think there's a rule required for that.

So if somebody ran the names of the individuals that we were looking at, it would not pop up. They would not see that an open investigation on those individuals. This occurs in highly sensitive investigations and other investigations as well.

Q. So I'm not asking for names, but maybe rank. Who would other people be that could access this? Certainly the case agent; is that correct?

A. Case agents, analysts assigned to the investigation, chain of command, SSA, if it was at the field level, SAC and ASAC, special agent in charge and assistant agent in charge, usually the assistant director of whatever division is overseeing that investigation or maybe deputy assistant director, and depending on the investigation, it could go up to the deputy director.

You know, it's assigned in the roles or if you want to keep it even further restricted, you either assign by roles or by specific names so that SSA
would only have access to the case as opposed to up in some field offices or branch. You could say all branch SSAs would see it, but if could be further restricted by name. I believe in this case, everything was restricted by name.

Q. So as far as you know, in this case, it would have gone up or did it go up to the A.D. level?
A. Yes.
Q. And that would be -- who would be the assistant director during this time?
A. At the time, it was Bill Priestap.
Q. And do you know if it would have gone above the A.D.? Would an EAD have had access to it?
A. I don't recall if the EAD or anybody above the A.D. specifically? I don't know how it works above the A.D. level. It may have been, but I can't answer that question.
Q. Do you as the case agent, can you see who has queried that case from the authorized list of people or the access list, whatever it's called, when you log on?
A. No. You can't see it. If I recall, I think you can request an audit trail, but you wouldn't normally sign in every day and see who had accessed the case.
Q. But if you requested a audit, you could see who and when from the authorized list? And I'm guessing, but correct me if I'm wrong, if some authorized person tried to get in, you'd you get some notification of that. Right?

A. Not notification. I don't recall if you got a specific notification, but if you do a audit log, which you'd request through FBI Headquarters -- I haven't done it, but I know you could get a -- see who tried to access the file.

MR. BAKER: All right. Thank you.

BY MR. SOMERS:

Q. So once you signed this NDA formally prior to Crossfire Hurricane, what were you told you would looking at or what were you investigating?

A. I recall at the time we had four individuals. I don't know the specifics of when they were opened up.

Q. I thought the IG report indicated that you may have drafted some of the opening EC. Did you draft any of the --

A. What page?

Q. I think 59. I can just ask the question. Did you draft any of the opening ECs?

A. I don't recall specifically.
Q. I'm just reading the IG report. The opening ECs for all four investigations were drafted by either of the two special agents assigned to serve as the case agents for the investigation, Case Agent 1 and 2, and were approved by Strzok as required.

A. Okay.

Q. I don't know if that refreshes you.

A. Yes.

Q. Do you recall drafting any of the ECs?

A. Yeah. I mean, I was refreshed. Reading it now, yes, but I don't recall specifically drafting the actual ECs.

Q. How would you characterize your role in Crossfire Hurricane?

A. As the case agent for the Carter Page investigation.

Q. Did you work at all on the Papadopolous investigation?

A. Not really, no.

Q. Same question for Manafort?

A. Not really, no.

Q. General Flynn?

A. Not really.

Q. But were you aware that those other three individuals other than Carter Page were being
investigated?

A. I was aware, yes.

BY MR. BAKER:

Q. Are you familiar from your field experience something called a file review?

A. I am.

Q. My understanding is that's something that the supervisor does periodically to just generally see where you're on a case and maybe discuss techniques he or she wants to see done. Did you get file reviews from Headquarters on Crossfire Hurricane?

A. No. If I recall correctly, file reviews are done every 90 days. Obviously, I was only there for roughly 90 days. So I don't recall any file reviews, no.

Q. Were there meetings to just check and see where -- my understanding is that team, the case agent, the SSAs, had a lot of autonomy with developing techniques and evaluating sources and whatnot. Was there any kind of meeting to see where everybody was and how the case was moving forward?

A. We had several meetings per week whereby the investigative team, amongst others, discussed their investigations around the table to be generally aware of everything that was going on with most of the
investigations.

Q. When you say "investigations", these are Crossfire investigations?

A. These are the Crossfire, yes.

Q. And who would normally attend these?

A. Myself, Case Agent 2, SIA, the SOS. At times, Pete Strzok would be there, OGC unit chief, OCG Attorney 1.

I just want to --

[The witness confers with [REDACTED].]

THE WITNESS: A senior analytical individual was there as well. We were analyst heavy. There were a few agents. There were numerous analysts as well.

BY MR. BAKER:

Q. I thought you indicated Mr. Strzok was there maybe sometimes. Was he there all the time?

A. Not all the time. Depending on his schedule, he attended several meetings, but there were times he was pulled away for other things.

Q. Would Mr. Priestap ever come to any of them?

A. I attended one meeting -- two meetings where it was a general meeting with Mr. Priestap, but he wouldn't come into our squad room, so to speak, or investigative team room for any discussion that I
Q. Did anybody higher than Mr. Priestap ever stop by?
A. The other I recall is Deputy McCabe stopping in November 5th, I think, the day after the Russian -- to just say hello, but aside from that, there was no other high-ups in the room for our general discussions.

BY MR. SOMERS:
Q. What about Lisa Page?
A. I don't recall Lisa Page being in any meetings?
Q. You said Case Agent 2 attended the meetings. What about Case Agent 3 and 4?
A. The titles -- yes. Case Agents 3 and 4 were there, yes.
Q. I know there's four investigations. I wasn't sure if it was four case agents. Does it line up that way? You were the case agent for Carter Page.
A. Yeah. So I think Case Agent 4 might have came a little bit after we, essentially, started, but he did attend meetings. Case Agent 3 was, essentially, assigned when I got down there as well. He participated in numerous meetings as well.
Q. Was it broken down that way? Was there a
case agent assigned to each of the four investigations?

A. Generally, yes.

BY MR. SOMERS:

Q. So you're responsible for Carter Page, but these would be meetings where all four investigations would be discussed?

A. That's correct.

Q. And you said they were how frequent?

A. Several times a week.

Q. Several times?

A. Depending on the tempo of the investigation and if everybody was around.

BY MR. BAKER:

Q. Did anybody kind of coordinate or lead these meetings or discussions?

A. I think SSA 1 would call them as needed, but we had a standing meeting, if I recall correctly, two or three days a week. That's the time when we just all sat around. It made it easier for individuals not in the room, i.e., Pete Strzok and the senior
intelligence analyst, not the SIA, but I don't know at
the time the individual. They would be aware of the
meetings and they could attend the meetings. We would
have ad hoc meetings.

BY MR. SOMERS:

Q. So the analysts and they agents would be
together?

A. That's correct.

BY MR. BAKER:

Q. Did you say SSA 1 coordinated these
meetings?

A. He set the scheduled meetings as SSAs
typically do.

Q. Was he viewed as higher than any of the
other SSAs in rank or responsibility or --

A. He's an SSA, but I don't think anybody
was -- I mean, everyone respected his experience, but we
didn't defer to him. I think everybody, when we sat
around the table, had equal say and equal weight.

BY MR. SOMERS:

Q. We're almost out of time. Indulge me
with one last set of questions here.

Did you ever talk to Director Comey about
Crossfire Hurricane?

A. No.
Q.     Andrew McCabe?
A.     Just when he came in that one room, but there were no specific conversations.
Q.     Jim Baker?
A.     I interviewed Jim Baker in, I think, November 2016 or December 2016 regarding the "Mother Jones" article. That was my only interaction.
Q.     That was a specific interview with him, no case-related interaction?
A.     No case related.
Q.     Patricia Anderson?
A.     No.
Q.     Bill Priestap?
A.     Again, I attended a few meeting where I represented the team if the SSA wasn't around, but it didn't come to the room specifically, not that I recall.
Q.     And what were you interactions with Lisa Page in Crossfire Hurricane?
A.     I had zero interactions with Lisa Page.
Q.     And just OI staff and DOJ. Anyone outside the Office of Intelligence that you interacted with?
A.     No.
MR. SOMERS: Our time is slightly past expired. So I'll turn it over.
I would like to ask one clarifying question, actually.

You were asked do you ever recall an instance of feeling like a fact needed to be provided to OI and you were overruled or told not to, and you indicated I don't recall. You don't recall what? Ever being told that?

Were you ever directed to not convey a fact to OI that you thought you should?

THE WITNESS: No.

MR. SOMERS: Okay. We can take a short break.

[Whereupon, at 11:16 a.m., a recess was taken, resuming at 11:27 a.m.]

MS. ZDEB: It is 11:27. We can go back on the record.

EXAMINATION BY THE MINORITY

BY MS. ZDEB:

Q. [ ], thank you for being here. We're going to tag team a bit on our side. Before Mr. Haskell jumps in, I'm going to follow up on a couple of questions that our colleagues on the Majority side were asking you during the last round.

In particular, you were asked a number of questions about whether you recall having specific conversations within the Crossfire Hurricane team about the duty of candor to the FISA Court, and the
implication of those questions seemed to be that conversations along those lines were necessary in order for you, specifically, and the Crossfire Hurricane team, generally, to be sure that it was compliant with the FBI's duty of candor. I also heard you to say that it was always on the front of our minds to provide everything to the court.

So is it fair to say that, because it was always on the front of the team's mind to provide everything to the court, it wasn't necessary to have the sort of ongoing discussions about the duty of candor that Mr. Somers was asking you about?

A. That's correct, yes.

Q. I believe you said you worked on about 10 FISA applications, most of them before Carter Page. Do you recall in any of those other cases before the Carter Page case having those sorts of ongoing discussions about the FBI's duty of candor that Mr. Somers asked you about, specifically with respect to Crossfire Hurricane?

A. There's always an implied duty of candor to court to share everything with OI regarding the investigation.

Q. So, in other words, the fact that it was always implied and that you didn't have specific conversations about that duty on an ongoing basis, it
wasn't unique to the Crossfire Hurricane investigation in any way?

A. That's correct.

BY MR. HASKELL:

Q. As you know, the IG issued a 400-page report in December of last year entitled "Review of Four FISA Applications and Other Aspects of the FBI's Crossfire Hurricane Investigation." The report detailed the results of the IG's two-year investigation into the same topics that we're talking about here today, and according to the report, the IG examined a million documents and interviewed more than a hundred witnesses, including numerous current and former government employees as part of that two-year investigation.

Did you cooperate with that investigation?

A. I did, yes.

Q. Were you interviewed as part of that investigation?

A. I was.

Q. How many times, if you recall?

A. I believe it was four times.

Q. Four times, and during those four interviews, did you provide complete and truthful answers to the questions that the IG asked you?

A. I did.
Q. Did you or the Justice Department provide the IG with documents related to your involvement in Crossfire Hurricane, to your knowledge?

A. I believe they asked the Inspection Division, which made available my notes to the IG through our Inspection Division and some other documents I can't recall off the top of my head.

Q. I take it you likely were asked about some of those documents during the course of your four interviews.

A. I was, yes.

Q. Did the IG ever complain that it needed more information from you?

A. No.

Q. Did the IG ever complain that it needed documents from you that it was unable to get?

A. No.

Q. Once the IG report had been drafted, did you have the opportunity to review it before it was finalized and published, at least the portions of the report relevant to you?

A. I was given one day to review it. I was asked to come down a second day where I was given another roughly four hours to review and another four hours to rebut, and I was offered an opportunity to meet
with Inspector General Horowitz for about an hour after that.

Q. Now, in that meeting with Inspector General Horowitz or otherwise, did you have the opportunity to provide comments on the draft that you had reviewed?

A. I did, yes.

Q. And recognizing that different witnesses may have different recollections or interpretations of certain events, does the IG report accurately reflect the testimony that you provided to the IG?

A. It does.

Q. And --

A. It was -- I was interviewed. They're my statements.

Q. So it accurately reflects the statements that you had made during the course of IG's investigation?

A. That's correct.

Q. And am I correct that those statements related to your work on the Crossfire Hurricane investigation?

A. That's correct.

Q. And the decisions and the actions that you were involved in during the course of that
investigation?

A. Yes.

Q. One of which or a series of which relate to the Carter Page FISA application; is that correct?

A. Yes.

Q. Okay. Have you been interviewed by any other congressional committees?

A. I have not.

Q. You have not?

So, in total, you had said you testified for or you were interviewed for four days by the IG. How many hours would you say that you've spent to this point testifying in this -- you know, related to Crossfire Hurricane?

A. I would say -- it's not testifying.

Q. I apologize. Being interviewed?

A. Yeah. I would estimate probably about 30 hours total, give or take.

Q. Thank you.

The OIG's 400-page report details the errors that IG identified in the Carter Page FISA applications. The report comprehensively lays out the circumstances surrounding every one of those errors and includes -- or at least what the IG has characterized as errors and includes the testimony of numerous individuals,
including yourself, about them. Horowitz came before
the Judiciary Committee and testified about those errors
during a six-hour public hearing last December.

We've heard a lot questions get asked during
this investigation that were investigated and
conclusively answered in that 400-plus-page report and
we suspect that is part of an effort to generate support
for the allegation that continues to be repeated at
hearings and meetings of this committee that the errors
were intentional acts motivated by a desire to harm
President Trump, something that the IG report
conclusively answered as no; but because we continue to
hear that allegation, we'll ask a few questions about it
today.

So as I said, the IG concluded that there was no
documentary or testimonial evidence of bias impacting
the FBI's work on Crossfire Hurricane. Did political
bias impact of your actions in connection with Crossfire
Hurricane?

A. Absolutely not.

Q. Do you have any evidence of political
bias otherwise impacting Crossfire Hurricane?

A. None whatsoever.

Q. It's been alleged that the FBI engaged in
a, quote, massive criminal conspiracy over time to
defraud the FISA Court. Do you have any evidence that
the FBI engaged in, quote, a massive criminal conspiracy
over time to defraud the FISA Court?

A. None whatsoever.

Q. It's also been alleged that the FBI, quote, purposely used the power of the Federal
Government to wage a political court war against a
presidential candidate they despised. Do you have any
evidence of that allegation?

A. None whatsoever.

Q. Do you have any evidence that the
Crossfire Hurricane investigation was a, quote, hoax or
witch hunt intended to hurt President Trump, then
Candidate Trump, politically?

A. Not at all.

Q. Was your personal goal to hurt Trump
politically?

A. Not at all.

Q. Do you have any evidence that Crossfire
Hurricane was part of a, quote, deep state effort to
take down Trump?

A. None whatsoever.

Q. Finally, there have been allegations that
the true intention of Crossfire Hurricane was to, quote,
change or nullify the results of the 2016 election. Was
that your goal personally?

A. It was not.

Q. And do you have any evidence that that was anybody else's goal?

A. No.

Q. Thank you.

Contrary to all of these allegations of bias that we just went through, the IG report documents several steps that the FBI took during Crossfire Hurricane to determine that the investigation did not impact the 2016 election. I'll read one quote from the IG report on page 308:

"Multiple witnesses told the IG that they were very concerned about preventing leaks regarding the nature and existence of Crossfire Hurricane."

Why was it so important to ensure that the nature and the existence of the investigation remained private?

A. To protect the integrity of the electoral process. It was an ongoing investigation and we wanted to protect all of those involved in the investigation.

Q. And that's because if even the fact of the investigation was known, setting aside sort of particular allegations, if the fact of this investigation was known, it could have potentially
affected the election in some way?

  A. Absolutely, yes.

  Q. And the existence of Crossfire Hurricane did remain private until after the election. It wasn't until March of 2017, months after the election, where its existence became known when FBI Director Comey revealed it during a congressional hearing.

  So the steps that you and the other members of the Crossfire Hurricane team and others within the FBI who had knowledge of the existence of the investigation took to conceal were successful, were they not?

  A. It was, yes.

  Q. And the harm that could have been caused to the Trump Campaign if -- I'm not saying I guarantee that it could have been caused, but that could have been cause if the existence was public never happened, none of that harm happened?

  A. I'm sorry. Could you just repeat that?

  Q. So the harm that could have been caused had you not been successful in keeping the existence of the investigation quiet never came to pass?

  A. Right. Yes.

  Q. And would you agree that if a member of the Crossfire Hurricane team was conspiring to prevent Trump from being elected or wanted to change the
results, was out to get him as this many of these
allegations have argued, they could have publicized the
existence of the investigation?

A. Correct. Yes.

Q. But, again, that did not happen?

A. It did not happen.

Q. That wasn't the only step that members of
the Crossfire Hurricane team took to ensure that the
election and the Trump Campaign wasn't harmed or
affected in any way. You and other Crossfire Hurricane
members told the IG that Source 2, who is the CHS that
you -- the confidential human source you handled had the
opportunity to join the Trump Campaign. You told the IG
that, quote, if Source 2 had joined the campaign, the
Crossfire Hurricane team would not have used Source 2
because that's not what we were after.

Can you elaborate on that? Why would you not
have used Source 2?

A. Our investigation, mandated
investigation, was very narrowly focused on
foreign -- our investigation was not on the campaign at
all. If Source 2 joined the campaign, he was then
inside of a political campaign which we were not
investigating. He would have to access to others and he
would have the ability to meet with others, but that's
not what we wanted, and we wouldn't have used whatsoever.

He was told that he was free to do what he wanted, but if he would have joined the campaign, we would not have used him.

Q. I believe others told the IG that among the reasons why they did not want Source 2 to be a member of the Trump Campaign was because of a perception that could develop after the fact that there was something political going on here; is that correct?

A. That's correct.

Q. And is it correct to say that you and your colleagues on the Crossfire Hurricane team were not just concerned about affecting the election in real time, but concerned with an allegation at any point that you were doing something political?

A. Correct.

Q. Even if there might have been an investigative step that you could have taken that might have benefitted, theoretically benefitted, the investigation in some way, if there was that political risk that we just discussed, that's not something that you would taken?

A. No.

MR. HASKELL: I think that's all we have for
THE WITNESS: Okay.

MR. HASKELL: Do you want to take a short break?

MR. SOMERS: Do you need a break?

THE WITNESS: Sure.

MR. SOMERS: Let's take a short break.

[Whereupon, at 11:42 a.m., a recess was taken, resuming at 11:48 a.m.]

MR. SOMERS: It's now 11:48. We are back on the record.

FURTHER EXAMINATION BY THE MAJORITY

BY MR. SOMERS:

Q. How would you characterize the atmosphere of the Crossfire Hurricane investigation? Was there a lot of pressure? Was there -- on the teams, what was the general atmosphere of the investigative team?

A. I think everybody in the room was professional. It was one of the most professional environments I've worked in.

We all had probably internal pressures on ourselves to prove or disprove what we were investigating.

Q. If you had concerns, could you raise them? Did you feel you comfortable -- not only that you could raise it, did you feel comfortable raising any
concern?

A. In that room, everybody had an equal voice. So I don't think there was concern about raising anything.

Q. And SSA 1 was your direct supervisor?

A. He was, yes.

Q. How did you interact with the supervisory intel analyst?

A. I have known him for almost my entire career. He's professional. He was one of the foremost experts in what he does.

Q. Russia?

A. Yes.

I wasn't sure -- we're in an unclassified setting.

He was professional.

Q. So you reported to -- I'm just trying to understand the sort of ranking structure there. You reported to SSA 1 and the SIA sort of not directly, but he was a superior to you?

A. No. There are two lines in the FBI. There's special agents and there's the intelligence cadre. The SSAs have -- they oversee special agents. Agents for the most don't report to intel analysts. They have their reporting structure.
Below SIA, there would be intelligence analysts and SOSes. He wouldn't be superior to me.

Q. Not on this investigation?
A. Not on this investigation.

BY MR. BAKER:

Q. Would the SIA, would he kind of be equivalent to the SSA on the agent structure?
A. Essentially, yes, sir.

BY MR. SOMERS:

Q. Page 78 of the IG report says:
"Additionally, almost immediately after opening the Page, Papadopolous, and Manafort investigations on August 10th, the case agent assigned to the Carter Page investigation, Case Agent 1, contacted OGC about the possibility of seeking FISA authority for Carter Page."

Why did you -- the IG -- I'll let the IG's characterization stand, "almost immediately". Why did you act almost immediately to seek FISA authority for Carter Page?

A. Well, we had -- Carter Page had a history with the FBI. I learned of the open investigation they had on him in New York in April. I believe they opened it up in April 2016, but given his interaction with us in the past, that's a normal investigative step in a counterintelligence investigation. We had history with
him with various issues with a very involved case.

So it was just a natural thing to ask for what I would say is a normal investigative step in counterintelligence.

Q. How did you learn about the New York investigation?

A. When I was read into the Crossfire Hurricane investigation.

Q. I'm sorry?

A. When I was read into the Crossfire Hurricane investigation.

Q. You were briefed orally or you were given case files or both?

A. I don't recall, but the way counterintelligence works things are compartmentalized. So I was read into it. I can't recall specifically if I had access to the file, but I was verbally told about it.

Q. Was that investigation subsumed by your investigation of Carter Page?

A. I believe so, yes.

Q. Were they already looking to seek FISA coverage on Carter Page?

A. I don't recall.

Q. Do you recall if there were
discussions -- you indicated these weren't your investigations, but do you recall whether there was discussion seeking FISA coverage on George Papadopolous?

    A. I think there was some discussion about it. I can't recall specific events around it, but in the meetings that we had, I think there was discussion.

    Q. But just in the meetings you had, nothing involving you?

    A. No.

    Q. Paul Manafort?

    A. I was the case agent on the Carter Page investigation. I just participated in discussions around the table.

    Q. In the discussions, do you recall any discussion about FISA coverage on Paul Manafort?

    A. I don't recall. I don't recall.

    Q. Same question for Michael Flynn?

    A. I don't recall.

BY MR. BAKER:

    Q. As a basic proposition, you decide or it's decided that you're going to open an investigation and it could be generically anyone, but in this instance, we'll say Carter Page. At a very basic level, what do you do as a case agent?

    You identify a subject that you believe is
worthy of investigating. Let's assume you've done the
administrative steps that you have to do. What are the
very first investigative steps?

I'm assuming, I believe and you've alluded to it
a little bit that there was already some information
about him known to the FBI, but what would you do as a
case agent with what's immediately around you in your
domain in field office or at Headquarters? What are
things you might do to find out more about this
potential target?

A. In a counterintelligence setting?

Q. Yes.

A. We would check holdings amongst -- within
the FBI and with other agencies including USITC.
Depending on the individual, we may reach out to
friendly intelligences services as well to see if they
have any holdings overseas in specific countries.

We would then take normal investigative steps in
issuing NSLs, as that's the world we live in for the
most part. We would -- depending on the investigation,
for the most part, we would seek FISA coverage related
to the individual. That is a tool whereby it helps us
understand the individual we're investigating to either
prove or disprove either the allegations or the
information we have about that individual.
The FISA would also help us if it's an intelligence officer to identify the abilities or ways we can recruit that intelligence officer to work for the United States Government or possibly identify others that that intelligence officer is in contact with. It may show the FISA -- if that intelligence officer is trying to evade our surveillance, either electronic or physical. We also assign physical surveillance on the individual, as needed, to see who that individual is in contact with, again, all to either prove or disprove what we have for the investigation.

BY MR. SOMERS:

Q. You said you were already kind of given the information about the previous Carter Page or the ongoing Carter Page FISA investigation -- not FISA, but the counterintelligence investigation.

A. Yes.

Q. If you weren't, would there have been a way to discover that information if you were there on Day 1?

A. I mean, you're asking me to speculate if I could figure out information.

Q. I'm not asking you to speculate. I'm asking like if the New York Field has an ongoing investigation of Carter Page and you want to open one up
with Headquarters, it makes sense to me that you would somehow be able to tell that New York Field had an open investigation of the same person you want to investigate.

BY MR. BAKER:

Q. I think to that point, you said something about when you walked us through the continuum --

A. Sure.

Q. -- from infancy to sophisticated investigative techniques, I though you said something at the beginning as a preliminary step -- and I'm paraphrasing -- you would check holdings.

A. Right. We would run checks in our databases. Now, I'll caveat that to your question. There are code name investigations on individuals as well. So that's to protect the individual under investigation or protect the individual who we may be looking to recruit.

So that's where our Headquarters component comes in. The Headquarters component is aware of almost full field investigations that going on in a given discipline, in this case Russian counterintelligence. So because counterintelligence investigations are compartmentalized, I don't have a need to know about that investigation on a regular basis, but if I had
started the investigation, we would have reached out to our Headquarters component and they would have said, Hey, Steve needs to know this investigation, about it, and they would have reached to the supervisor in New York who then would give me access to that file.

Q. So there's a process where you would learn that the subject you're looking at was the subject in another case?
A. That's correct.
Q. Okay. Then you also said something when you were walking us through the continuum that one of the other steps, if I understood this correctly, would be to maybe check with other people in USITC?
A. That's right.
Q. What does that involve? This is outside your field office, Headquarters, FBI domain. Right?

[Redacted]: And you're talking generically.
Correct?
BY MR. BAKER:

Q. Generically. Right now, we're talking generically.
A. We would ask for what's referred to as a name trace with other government agencies.
Q. And these would be other intelligence agencies?
A. Correct.

Q. And what --

A. In my experience.

Q. Would could be some of the outcomes of that name trace request? What are some of the possibilities of getting a hit, for lack of a better word?

A. You could have nothing. You could find that the agency had, you know, a prior relationship with or a current relationship with that individual or they may have allegations about that individual that, say, one of their -- just a second.

[The witness confers with blank.]  

THE WITNESS: Sorry. I just wanted to make sure.

BY MR. BAKER:

Q. Sure.

A. They would just provide a summary of whatever they had on that individual.

Q. Then would you be able to follow up? If you get a summary that's interesting to you on the subject you're looking at investigating, would you have a means to contact the agency that's reporting back information in the initial name trace to get more detail?
A. I believe so, yes.

Q. Do you know, now specifically moving into the Carter Page investigation, was a name trace done?

A. A name trace was done.

Q. And did you get information back?

A. We did.

Q. And was there follow-up to the information?

A. For me, personally, no. I don't believe so.

Q. Did anybody follow up with information received back?

A. We -- that's leading me to almost -- I wasn't privy to any discussions that took place between my agency and other agencies. I personally did not follow up.

Q. But would it be fair to say that you either were made aware then or at some point in the investigation made aware that Mr. Page as the subject you're potentially looking at was known to another agency?

A. Yes.

Q. And it would be another intelligence agency?

A. Yes.
Q. Okay. And to the best of your knowledge, there was not additional followup or you didn't have additional followup with the other agencies?

A. To the best my -- I can't answer that question. I don't recall given the time that's elapsed. I don't know that answer.

Q. Do you recall if at the time you knew what the relationship was with Mr. Page and the other agency?

A. Because of the classification of it, I haven't seen that document probably since 2016. So I can't specifically answer questions as it relates. I can only refer to what's in the Inspector General's report, but that's about it.

Q. Could you say if he was, Mr. Page were -- was your impression based on this result of the name trace, was it your impression that Mr. Page was the subject of an investigation by another agency or was he an asset of another agency?

A. I can't answer that question given the timeframe and not having the document in front of me.

BY MR. SOMERS:

Q. Did you request the name trace?

A. I don't know how that name trace went.

It could have been requested through the SIA, because we
had contacts at the OGA who was -- I knew the name at the time who was, I believe, our liaison at the other agency.

Q. Page 79 of the IG report says: "On or about August 17, 2016, the Crossfire Hurricane team received information from another U.S. Government agency advising the team that Carter Page had been approved as an operational contact for the other agency from 2008 to 2013 and detailing the information that Page had provided to the other agency regarding Page's past contacts with certain Russian intelligence officers."

Do you recall receiving that memo? Did you receive that memo?

A. I believe I did, yes.

BY MR. BAKER:

Q. Who else on the team would have gotten that memo or any information from this name trace?

A. It would have been -- the way it's transmitted, we get a hard copy transmitted to us. I don't believe that at that level, it could be emailed due to classification issues, if I recall correctly.

The SA, the SSA, a number of people would have had access to that document. It wasn't something that was sent specifically to me and locked in a drawer somewhere. It was available to the entire team.
Q. So the team would have been aware of whatever --
A. That's correct.
Q. Would Mr. Strzok have been aware?
A. I wasn't in any meetings that I recall where he was briefed, but that's -- I don't want to speculate.

BY MR. SOMERS:

Q. Well, at some point, Carter Page went public and said he had contact with the CIA and other intelligence -- members of the intelligence community, including the FBI. Do you recall any discussions after Carter Page went public about whether he, in fact, was just making stuff up or whether this, in fact, was a truthful statement about Carter Page?
A. I don't recall the timing when he went public on that. So I can't specifically answer that question.

Q. Do you recall ever discussing in group meetings whether -- in the meetings you described in our first round of questioning, do you recall any discussion in those meetings as to whether Carter Page was associated in any way with members of the U.S. intelligence community, member agencies of the U.S. intelligence community?
A. Can you repeat that? Sorry.

Q. Do you recall in the first round, we are discussed meetings that took place --

A. Yeah.

Q. -- on Crossfire Hurricane. Do you recall in those meetings whether it ever came up, especially given that Carter Page came out and said publicly, whether Carter Page had an association of some type with a U.S. Government intelligence agency?

A. I don't recall specifically, but it could have.

Q. You said "but it could have"?

A. Yes.

BY MR. BAKER:

Q. How quick or how slow do these name trace requests come back?

A. My only answer is it depends. I have waited for some time on some of them, and others, I get back fairly quickly.

Q. In this instance, was there an investigation up and running when the name trace came back or where on the continuum of the investigation was it?

A. I don't recall when the actual name trace was sent. So I can't answer that question. I'm sorry.
BY MR. SOMERS:

Q. The Carter Page FISA application, obviously, contains some information about his contacts with Russia and Russian intelligence officers prior to, unrelated to, presumably unrelated to the Trump Campaign. Do you recall generally that information?

A. I do.

Q. Do you recall where you got that information from?

A. I received it from reading the ECs, electronic communications, of his meetings with the FBI and I believe I spoke with individuals up in New York who met with him.

Q. Do you recall if any of the information, that information, overlapped with any of the information in this August 17, 2016 memo from the other government agencies?

A. There were several ECs. I think one overlapped. I think the other subsequent one did not overlap.

Q. Did you inform anyone of the overlap?

A. I think everyone on the -- if I recall correctly, everyone on the team was aware of his contacts. Everyone had access to the ECs or the
analytical cadre of his interactions with the FBI in the past.

Q. Do you recall what the overlap was between the August 17 --

A. I don't recall specifically.

Q. The IG report on page 366 says: "We concluded that Case Agent 1 failed to provide accurate and complete information to the OI attorney concerning Page's relationship and cooperation with the other agency."

MS. ARGENTIERI: I'm sorry. Where are you reading from?

MR. SOMERS: I'm sorry. Page 366 of the IG report.

BY MR. SOMERS:

Q. It says: "We concluded that Case Agent 1 failed to provide accurate and complete information to the OI attorney concerning Page's relationship and cooperation with the other agency."

THE WITNESS: It's page 366?

BY MR. SOMERS:

Q. Page 366.

A. Yeah. And your question?

Q. I believe the information you provided the OI attorney would have been the information
regarding Carter Page was out of scope of the FISA. Do you recall when you drew that conclusion?

A. I recall the entire dialogue I had with the OI attorney whereby several people were copied on the email. Yes.

Q. Do you recall determining that the information in the August 17th memo -- I assume that's the information you got from the other agency. Do you recall why you determined it was out of scope for the Carter Page FISA application?

A. I do.

Q. Why did you determine it was out of scope?

A. When we initially asked for the FISA on Carter Page, I believe it's documented here that I felt we needed more information because of the lapse of time he had with Russia intelligence officers. Based on that, based on, I believe, the memo, his last detailed contact was in 2011 with the OGA. Five years would be outside of the scope we were looking. At we were looking at a specific timeframe.

I think what was not accurately reflected in the OIG report was that I offered the OI attorney to see that memo. That was offered for him to see and review himself.
There was a FISC ruling on March 5, 2020 whereby the FISC Court said that the OI attorney should have come and reviewed that documentation.

BY MR. BAKER:

Q. What was the OI attorney's response when you offered?

A. There was no response from the OI attorney that I recall.

Q. What was your mode of communicating the offer?

A. This was an email where several people on the investigative team was copied on that email, including the OGC, including the SSA.

Q. Was there any subsequent attempt to contact the OI by either you or anybody on the team about this offer?

MS. ARGENTIERI: Sorry.

MR. BAKER: Sure.

[Ms. Argentieri confers with the witness.]

THE WITNESS: So the actual quote, if I recall correctly, was I said I would argue it's outside the scope, but you can keep it in if you'd like and I have a document for you to review, something along those lines.

I never denied his involvement with the OGA. I made a good faith effort to share that document with the
OI attorney, and I made a call based on my experience, my discussions with OGC and others that it was outside the scope, but others sought out communication. It wasn't a communication just between myself and the OI attorney.

The way it works is that we give the information to OI, and if they ask for more, we always will provide it. It was not followed up on. So, therefore, I thought I did my due diligence and notified OI that he did have contact with OGA.

BY MR. BAKER:

Q. You say in this response to OI or the communication with OI, you said you have another document and this is what he did not respond to. Was there a hint as to what the substance of the other document was that you had?

A. No. The document was a draft copy of the FISA application where we put electronic comments into questions. It was an electronic markup of that document where I answered any questions the OI attorney had, and that was one of a few answers I had for the OI attorney.

Q. Okay.

A. And I did also offer for him to review it.

Q. Separate from that, was there any
communication to OI or making them aware of this other
government agency information separate and apart from
anything else you're doing with the affidavit, they,
Hey, we got this back; we got this information in; this
is pretty important? Was there anything to highlight it
to OI?

WITNESS: You're talking at the time he was
involved in the case?

MR. BAKER: Correct.

THE WITNESS: I thought my answer to that
question in the draft was sufficient to say, yes, he did
have a relationship with the OGA. I felt it was outside
the scope, but if you want to keep that relationship in
with the OGA, yes.

So, clearly, there was some question about
whether or not he had an affiliation, but I offered for
that memo to be viewed by OI. As I had mentioned
earlier, given the sensitivity of the document and the
classification level of it, we can't email that in our
systems to OI. OI would have to physically come into
our space and review that document, and it was not
followed up on.

BY MR. BAKER:

Q. In any way, shape, or form?

A. As far as I know --
Q. It was not?
A. -- it was not followed up on?

BY MR. SOMERS:
Q. Do you still, sitting here today, believe it was outside the scope?

[Witness confers with counsel.]

THE WITNESS: Can you repeat the question?

BY MR. SOMERS:
Q. Do you still believe the information is outside the scope?
A. I believe I accurately flagged it for OI for their review and they didn't follow up on it.

MR. SOMERS: Okay.

BY MR. BAKER:
Q. Would there have been any harm or violation of protocol, in addition to just flagging it, to really marquee that this might contradict what is going into the FISA, look at this, please?
A. OI is the ultimate arbiter of what goes to the court. By notifying OI that he did speak with the OGA and by making that available, that was their decision to make. It was not mine.

Q. Do you think that the way this what ultimately becomes a very significant issue, do you think it's adequately communicated to OI by putting it
where you put it with no priority assigned to it?

A. Just one second.

[Witness confers with counsel.]

THE WITNESS: At the time I read the October memo -- the August memo, I think it was five years prior to investigative activity. We flag it for OI for them to follow up on.

As a case agent, I expect OI to read everything I provide to them and to follow up with any questions that they have.

BY MR. SOMERS:

Q. Just to be clear, you provided them with the memo or you provided them a summary?

A. I provided them with the fact. I couldn't provide the memo. I offered for the memo to be made available.

I offered a judgment call that it was outside the scope because it was five years prior to what we were looking at. We were looking at Carter Page's activity circa 2016.

Q. But you told them about the contacts between the other agency and Carter Page?

A. I provided information that he did have contact with OGA. I made the argument, as a case agent, it was outside the scope. It was offered -- I also
offered for him to keep that language in the FISA and I offered for them to come see the memo.

Q. My question is what you told about the contacts. Did you tell them that -- did you only tell them about older contacts or did you tell them about all the contacts that were in the August 17th memo?

A. I couldn't convey that over a meeting. I communicated that they had to come over and review the document.

Q. So I'm just trying to understand what exactly you -- you orally communicated with the OI attorney; is that correct?

A. No. There was an email communication. There was an electronic draft where comments were being asked and answered between ourselves and OI whereby numerous people were on that chain. I answered questions where I believe it was anything about DOJ involvement.

So there was no -- to those who were on the investigative team and OI, I said it was outside the scope given what I had read in the memo, but I offered for them to keep it in. I believe I said I don't have a problem with you keeping it in, and if you want to see the memo, you come and take a look at it.

I expect -- my expectation for OI is that they'd
follow up if they had any additional questions.

Q. So you didn't describe the contacts; you just said there were contacts, but you thought they were outside the scope. Correct?

A. Yeah, given the context of the classification of the document that we had.

Q. You communicated over a classified system, but it didn't have a high enough --

A. Correct.

Q. -- classification?

A. Correct.

BY MR. BAKER:

Q. You mentioned just a second ago it was a judgment call. Was it solely your judgment or did you have a discussion with SSA 1 or anyone on the team and it was a collective judgment?

A. I can't answer that specifically. I think others were copied on that comment, and if anybody had any -- took any umbrage, they would have probably let me know.

Q. But you don't recall a discussion before sending it initially?

A. I don't recall.

BY MR. SOMERS:

Q. Do you recall if anyone else read the
August 17 memo?

[Witness confers with counsel.]

THE WITNESS: My impression is that they did read that memo, but I can't specifically remember who.

BY MR. SOMERS:

Q. When you say "they", you mean people on Crossfire Hurricane?

A. Yes, the people on the investigative team, and as was mentioned in the email, if they had any question about it, they had access to it because it was kept in our space.

Q. When did you first see the report that's now become known as the Steele Dossier?

A. If I recall correctly, it was sometime in mid-September 2016.

Q. The team received the report, according to page 100 of the IG report, on September 19, 2016. Do you think you immediately had access to it?

A. No. At the time, I was up in New York working another active investigation. I was informed about the documents, but I believe the SOS saw it through our instant messaging system, but I recall him asking if I had seen it, but when I came back to Headquarters, that's when I first saw it.

Q. I think I picked up in reading the IG
report that you believed that you had probable cause for
FISA coverage on Carter Page without or prior to
receiving the Steele reporting; is that correct?

A. If that's what it says in the report, then, yes. I believe I did.

Q. So you what happened? You get the Steele reports in and, obviously, it's pretty clear on the IG report that you then start trying to corroborate the Steele reports?

How did that process go? Did you start first with Steele or did you start first with the reports or was that all mixed together?

A. I believe it was mixed together. I think the way the work was bifurcated was the intelligence cadre were trying to verify known facts, if you will, in that report that could be verified, travel, just who and I don't recall the original tranche of information, but if they could identify somebody worked at the embassy or along those lines.

Q. That's the analyst, you mean?

A. That's the analyst.

The agent cadre then reached to the Handling Agent 1 to speak to that agent about and his source, who he was, how long has he been working with us, if we had contact with him, things along those lines. The agent
cadre of an investigation like this is operationally focused.

Q.     And what did the handling agent tell you about Steele, generally?

A.     I don't recall the specifics. We had a secure videoconference call with him in the city he was posted. It was myself, SSA 1, and Case Agent 2, and there was, I believe, an offer to meet with Steele. Then we started to put that trip together.

Q.     What was your knowledge of, say prior to the October 21 when the first FISA application was submitted, what was your knowledge of who Christopher Steele was at the time?

A.     He was a former member of a friendly foreign intelligence service. He had been a source for Handling Agent 1 for a period of time. He provided information to Handling Agent 1 for a certain period of time. I don't recall specifically how long.

He had a tranche of reporting through meetings with agents and the SIA in a foreign country. He went on to describe his source network. That's about it.

Q.     Do you recall why you didn't attend that October meeting in another country?

A.     I think I was focused on the FISA. I think there was a couple of other things going on at the
same time. We had a small team doing this
investigation. So we were always stretched a little bit
as far as who could do what.

Q. Your information about Steele came from
Handling Agent 1 or this handling agent?

A. The initial first blush of information
came from Handling Agent 1 and then we sent the team out
to interview him subsequent to that.

Q. Did you run a file search on Steele, like
a delta file or anything else?

A. I don't have access to that. That's
all -- I believe our intel cadre would have done that.

Q. Do you believe that they -- do you know
whether they did?

A. I don't recall that, no.

Q. So what was your understanding prior to
the first FISA warrant, October 21, 2016 -- you get the
reports in. What is your understanding as to why Steele
was collecting this information?

A. He was hired by a firm in the United
States to do opposition research as evidenced by the
footnote we had in the FISA.

Q. What was your understanding of how he was
going about collecting this information?

A. As far as his source network?
Q. Yeah. I mean what was your understanding of how it was that he'd get these reports? What was your understanding of how he collected the information that was in these reports?

A. It was all from the October meeting that occurred in a foreign city where he was met by case agents and the SSA.

Q. I'm not asking how you -- I'm asking what was your understanding of where the information in the report came from?

A. There was an email since from the team who interviewed him and he described his source network.

Q. So you understood that he was collecting all the information from sources?

A. Correct.

Q. Did you further understand that he had a primary subsource?

A. I don't know if I knew that at the time.

Q. When did you learn that he had a primary subsource?

A. I can't recall when I knew he had a primary subsource.

Q. Do you recall if you learned before -- you eventually interviewed the primary subsource. You took part in an interview in January of
2017 with the primary subsource; is that correct?

A. That's correct.

Q. So you learned before that interview that there was a primary subsource. Correct?

A. That's correct, yes.

Q. Do you recall how long before that interview? Did you learn on the eve of the interview or had you known for a couple of months?

A. No. I can't recall specifically.

BY MR. BAKER:

Q. Apart from Crossfire Hurricane, you handled sources in your career. Correct?

A. I have.

Q. How many would you guess you've handled?

A. I guess it depends on how you define a source. You know, true sources with intelligence officers, numerous.

Q. How common is the subsource network in your experience in dealing with sources?

A. It depends on the target. It depends on where they're getting their information from, target meaning either information from a country that they're friendly with that, say, intelligence officer. So it depends.

Q. Had any of the cases you worked where you
utilized confidential human sources, did you encounter a subsource network like Christopher Steele had?

A. Not like this.

Q. If you know, what problems, what unique problems would present themselves with a subsource network as opposed to just a source that is reporting information to you?

A. That would force me to kind of speculate or guess. Our goal is if we find, in practice -- hold on.

[Witness confers with Ms. Argentieri.]

THE WITNESS: In my experience, it's you don't know how the subsource is being tasked, what they're going to do, but in my experience, my goal as the case agent would be to drill down further into who those sources are and then to see if the FBI would be able to gain access to the main sources of information, thereby -- we use the phrase "peeling layers of the onion to get to the heart of the matter. If you find out through the course of working with somebody who has a primary subsource that there main source is providing the bulk of the information or just part of the information is available to approach by the FBI, by all means, we will do everything we can to get in front of that individual and start to peel back the layers of the
BY MR. BAKER:

Q. And the purpose of getting in front of that individual is for what?

A. Because they are the original source of the information that allows us to, "A", ensure the information is true and correct, obviously, and to then honestly establish a relationship with that individual, deal with that individual as the source.

Q. So it sounds like what you're saying and correct me if I'm wrong is that one of the big important reasons for needing to get in front of a subsource is credibility?

A. That's right.

MR. BAKER: Thank you.

BY MR. SOMERS:

Q. So I don't think this question was answered as it relates to on page 133. The OI attorney asked the FBI questions about subsources, including in a September 30, 2016 email which he asked Case Agent 1 and the Crossfire Hurricane team, he asks this question: "If the reporting is being made by a primary source, but based on subsources, why is it reliable even though it's second- and third-hand?"

Do you have an answer to that question?
A. Are you asking the question that was raised by the OI attorney?

Q. That's what I'm asking, yeah. I don't think there was answer in the IG report.

[Witness confers with counsel.]

THE WITNESS: So that question was asked on September 30, 2016, only a few days after we had the reporting. At the time that question was asked of me by the OI attorney, I couldn't provide an answer, but we subsequently provided that information to OI attorney after the October meeting that the SSA wrote up of a meeting they had with Steele.

BY MR. SOMERS;

Q. So why was the information reliable?

A. Sorry?

Q. Why was the second- and third-hand information reliable?

A. Well, I think --

Q. Well, paraphrasing, it seems like the OI attorney was satisfied with your response, but the IG report does not indicate what the response was.

A. I think if you read further on, the team eventually briefed them on the subsourse information they learned from Steele in early October. He also received the written summary of this information that
the SIA prepared shortly after the October meeting.

So I think that satisfied his question, because it goes on to say that based on the information that the FBI, the investigative team, provided, he thought the sources were definitely in a position to have asked for the information.

Q. So because the sources were in a position to receive the information, you found it reliable?
A. We provided OI the same write-up of that meeting that all the FBI had.

Q. So at that point, though, where did you learn about the subsources? From Steele or somewhere else?
A. Subsources, the network he had?
Q. Yes.
A. That came from the meeting in October. I know that, initially, he was reluctant to share it with the handling agent, but I know that he was reluctant to even share it the team, but in October, he eventually gave us some of the information that the subsource network was.

Q. So it says on page 133 also, it says that: "The supervisory intel analyst sits as a case agent and providing information on the subsources and reviewed the footnotes for accuracy."
1. I assume that means the footnotes in the FISA.
2. A. That's right.
3. Q. So this FISA application had a separate -- the version that we have are heavily redacted. I'm not going to ask you what's behind the redactions, but just generally, I think my understanding is there's a separate footnote for each of the subsources; is that correct, or most of the subsources?
4. THE WITNESS: If you recall.
5. Q. Describing the subsources?
6. A. Describing the subsource network. That was my understanding of the how Steele was receiving the information, through the subsource's network.
7. Q. Did he provide you enough information to
identify the subsources?

A. I believe we identified two of the subsources.

Q. From the information Steele provided?

A. Yes. I'm sorry. I can't recall if he gave us the names of the subsources or we were able to discern who subsources were given the context of information that Steele provided. I wasn't at that meeting. So I can't answer.

Q. Do you recall if he provided you the name of the primary subsource?

A. I don't recall.

Q. So do you know whether you discerned or it or he provided it?

A. I don't recall when I learned of the primary subsource.

Q. You don't recall when you learned the name of the primary subsource?

A. I don't.

Q. You don't recall whether it was from FBI, any investigation, or Steele just gave you the name?

A. I'm sorry. Can you repeat that?

Q. You don't -- eventually, you learned the name of the primary subsource. Correct?

A. Correct.
Q. But what you don't recall is whether you learned the name of the primary subsource because the FBI, through clues it had, investigated and discovered the name or whether Steele said this is the guy's name?

[Witness confers with counsel.]

THE WITNESS: If I recall correctly, the primary subsource was identified by the intel analyst on the investigative team.

BY MR. SOMERS:

Q. And you recall -- do you recall roughly when that was?

A. I can't tell you that, no.

Q. So you discover who the primary subsource is at some point. What do you then do with that information?

A. I think I learned who the -- probably just before the interview, if I recall at the time, we went out to -- we found where the primary subsource lives.

[Witness confers with counsel.]

BY MR. SOMERS:

Q. We can keep it to the country.

A. Could you just repeat that question, please? I'm sorry.

Q. What did you learn after you learned the
identify of the primary subsource? What did you and/or
the team do once you learned the identity of the primary
subsource?

A. We tried to identify where that
individual lived and go out and interview that
interview.

BY MR. BAKER:

Q. Did you do name checks on that person
too, name searches, background checks?

A. I don't remember on the primary
subsource. I can't recall.

Q. Would you do that when you're considering
opening any source?

A. It depends, but generally, prior to us
going out to the interview anybody, we'd check to see
the --

Q. When you're considering opening an
individual as a source, you would do, I imagine, some
sort of check on them, who they are, are they really in
a position to provide that information?

A. Is your question to open them as a
source?

Q. Yes.

A. Yes. We would do checks.

Q. So if you do identify subsources of a
source, would you do something similar to establish the credibility of who they are, what they know, why they would know it?

A. If I understand the question, if through a subsource, we identified another source --

Q. No. If you -- you would do these checks in opening a source. As you continue to work that source, you learn that that source has a network of sources. You eventually identify some of the people that consist of or comprise that network of sources. Would you also do some check on those people to see, basically, the same thing you would do for the main source?

A. Yes. Well, if we wanted to open those individuals as sources, I think the answer is, honestly, it depends where that individual lives. 

Q. But if you're taking information from the source that is opened or whatever you call it, but you subsequently learn that that source is really not the collector of the information that they are providing you, that they're getting it from this network of sources and then you also identify some or all of this network of sources, wouldn't you also check whatever you
could to see their credibility since they're really the ones providing the information you're ultimately using?

A. You might, but specifically in regard to this, I don't think we could. I don't remember. I'm sorry.

BY MR. SOMERS:

Q. You don't remember if you ran a name check on the primary subsource?

A. I don't.

Q. Do you recall how the team learned that the FBI had a counterintelligence investigation open on the primary subsource in 2009?

MR. HEISS: This is an area that has just emerged, I guess, overnight.

MR. SOMERS: Yeah. I just learned about yesterday.

MR. HEISS: I'm not faulting you as a result, but it is not one of the topics that we discussed on the call that you were going to cover. We just learned about it.

Again, I'm not faulting you for that, but we just learned about it. We have not a sufficient opportunity to meet with our client on what led to that allegation. We have seen no documents related to it.
that topic today.

MR. SOMERS: So he can't even answer whether he was -- if I don't go any further and I just ask whether he was aware of the May -- the counterintelligence investigation that was open in May 2009 on the primary subsource, can he answer that question?

MR. HEISS: No.

BY MR. BAKER:

Q. Hypothetically, if a name check would have done on a subsource that had been the subject of a counterintelligence investigation, would that information have been hit on during this name search or record check, whatever you want to call it?

[Witness confers with counsel.]

THE WITNESS: I think I can't give you an honest answer.

BY MR. BAKER:

Q. Generally speaking, if a field office has a case on Subject A, they close that case for whatever reason. The case is adjudicated, and then somewhere down the road, Subject A comes into another case, either as the subject or an individual that just comes into the case. Does the FBI have an infrastructure of checks and computers and indices that would reference this person coming up in the prior case?
[Witness confers with counsel.]

THE WITNESS: There are variables, including if it's a sensitive case and other prohibited cases, like I mentioned.

BY MR. BAKER:

Q. I understand the idea of variable, I think, but if this individual in this later case is providing information that is significantly steering or directing the investigative strategies and momentum of a case, wouldn't some check of credibility be done, even just a simple indices search to see if we at the FBI have ever come across this person before?

MS. ARGENTIERI: I just think that the issue is that it's such a hypothetical question that it's part hard for him to answer.

MR. BAKER: Okay.

MS. ARGENTIERI: I think --

MR. BAKER: I understand it depends. There's variables and it's different every time.

MS. ARGENTIERI: Right.

BY MR. BAKER:

Q. I think it's a simple concept. If you have someone that you are going to do -- or you're going to use their information to facilitate the use of sophisticated investigative techniques, some of the most
intrusive there are, wouldn't there be at a basic level some sort of inquiry into who is this person?

It's being credited initially to a person. Then it is learned that that person is getting from a subset of people. Wouldn't there be some very basic curiosity of who is this person, have we ever come across this personal before, we're using their information for something pretty sophisticated?

[Witness confers with counsel.]

[ ]: Mr. Baker, to make sure we're on the same page and that we're being clear, are you asking [ ] if we would, if the Bureau would, naturally seek to run a check, name check, or some other type of check on an identified individual or are you asking if they would naturally expect to get results back?

MR. BAKER: The prior, your first question.

[ ]: Whether or not if the Bureau identifies somebody, they would seek to run checks across whatever records the Bureau might have?

MR. BAKER: Correct.

[ ]: That's a question I think you can answer.

THE WITNESS: Yes.

[ ]: But to be clear, was the individual clearly identified at that point? Did you have ae clear
identity on the subsource at that point?

THE WITNESS: At that point, I don't recall.

BY MR. BAKER:

Q. But at some point, you go to his house, I thought you said, and I thought you said the intel analyst identified him. I'm guessing -- correct me if I'm wrong -- that as time goes on, he becomes, the primary subsource becomes, more clear and focused that there would be enough information to run this guy through your internal databases and see if he's ever come on the Bureau radar before?

MS. ARGENTIERI: I believe he answered that he didn't recall that that had been done. I think the problem is that you're asking a hypothetical and drawing conclusions about what happened here.

MR. BAKER: Okay. I apologize for that, but in my belief and in my understanding, I think this is such a basic thing that I'm confused why it get blurred, whether it's hypothetical or in the instant case. It's just a basic thing to run an internal indices name check, as I understand it?

MR. SOMERS: Or is it not?

MR. BAKER: Yeah. Or is there something here that's complicating what seems to me to be a simple task.
I think there is something here that's complicating it. Number one, the timeline of when they learned there was a subsource, when they started to develop information about who that subsource might be, when that information became confirmed to the extent that it did.

As you know and as he has testified to, there are different levels of restriction placed on cases and there could very well be a query, hypothetically, of an individual that would result in no hit, in the hypothetical question you've asked and in my response to that hypothetical. There is not an absolute return, either positive or negative, as a result of those different restrictions that could be placed.

MR. SOMERS: And that's a perfectly good answer to a question we asked the witness, in all due respect, and not you.

I understand. The problem is, I believe that, quite frankly, that every single one of those elements was confused by the series of questions.

MR. SOMERS: We're trying to -- I'm trying to reduce some of the confusion and see if we can just get a more basic point.

MR. BAKER: I want to clarify something with [ ]. I think I understand something you're saying.
Is it possible, hypothetically, that an inquiry is made and no results or nothing comes back, but that might not be the real answer, that might not be the real result?

[Redacted]: For obvious reasons, number one, I would say I'm not testifying and, number two, that is my understanding of how that system works, that if a prohibited case is queried -- if [Redacted] is a prohibited case and my name is queried, I don't believe you're going to get anything.

BY MR. BAKER:

Q. Do you believe that was the case in this instance?

A. I can't answer that.

MR. BAKER: Okay. Thank you.

BY MR. SOMERS:

Q. Did you -- so on September 24th, when you walked in to -- on September 24th when you -- let me back up.

On January 24, 2017, when you walked into the interview of the person who you believed was the primary subsource, did you know he was the primary subsource?

A. Yes. Well, I'm sorry. We believed he was the primary subsource based on the information that the analytical cadre put together.
Q. And you had his name?
A. We did.

Q. Did you run a criminal background check?
A. I don't recall what I did at the time.

Now, just to point out where I was, I was up in New York. I came down for -- I don't know if it was specifically for this, but I was still back in New York. I was not involved in the day-to-day activities of the investigative team that were still happening at FBI Headquarters.

Q. I think the question we're ultimately trying to ask here is you identify the primary subsource. One of the step you could have taken --
A. We identified who we believed --
Q. Who you believed to be the primary subsource. You had a name. All we're really asking is once you had that name or the name of someone you care about in any investigation, is it possible for you to query FBI databases? I'm not asking whether you did or you didn't or whether you got any hits back or anything else. I'm asking whether it's possible to query FBI databases for that name to see if anything comes back.
A. It is, yes.

MR. SOMERS: I think that's the end of our hour.

[Whereupon, at 12:55 p.m., a lunch recess was
taken, to reconvene at 1:45 p.m. this same day.]
AFTERNOON SESSION

MR. HASKELL: It's 1:50 p.m. We are going back on the record.

FURTHER EXAMINATION BY THE MINORITY

BY MR. HASKELL:

Q. Since the Inspector General's report was released, we've heard argument that the FBI should never have been investigating Carter Page at all, that the FISA errors that the IG identified undermine the Page investigation and also somehow the entire Crossfire Hurricane and Mueller investigations. You ran the Carter Page investigation, as you know said earlier. I just have a few questions for you about the basis for that investigation.

In early July 2016, while a member of the Trump Campaign, Page traveled to Moscow and gave speeches criticizing sanctions the Obama Administration had imposed on Russia. While he was in Moscow, Page informed Trump Campaign officials that he had met with or at least heard from, quote, sources close to Putin, including Russian Deputy Prime Minister Arkady Dvorkovich, who Page said, quote, expressed strong words for Mr. Trump during his private conversation.

Why would that trip to Moscow and those comments by Page be concerning to a counterintelligence
investigation into ties between the Trump Campaign and Russia?

[Witness confers with counsel.]

THE WITNESS: Sorry. Based on information that may be classified, I had to double check.

Carter Page came to the FBI as part of a recruitment cycle and our concern from a counterintelligence standpoint -- this was before I worked the investigation -- an individual who was in the recruitment cycle in Moscow, as a counterintelligence professional, my mind was to -- let me take a step back.

If an individual was being groomed and/or attempted to be recruited by the FBI and that individual goes back, say, to the threat nation during this time and then he comes to the United States and that individual finds himself as an advisor to a candidate or prime minister or president or whoever and that person gives a speech in New York, it would be incumbent upon me as a counterintelligence professional to re-approach that individual, to re-engage and re-establish the connection, and it would be -- it wouldn't be under the eyes of wherever that individual is from. So it would be standard practice to do something along those lines.

So when I joined investigation, it kind of was in our calculus of possibilities of what would occur
when we went there. I know it's a hypothetical, but that's how counterintelligence professionals work and how we understood the cycle.

We did know he went to Moscow. We subsequently learned about that meeting through -- it's in here. So it's important that he is establishing the communication with the Russian Government.

BY MR. HASKELL:

Q. And when you said it doesn't matter where the individual is from, I take it that you were referring to a political campaign, a presidential campaign or a senator's office or wherever --

A. Right. Yeah. I'm using that in the --. The FBI would most likely approach that individual.

Q. Okay.

A. If we had an established relationships with them.

Q. And you told the OIG that in seeking the FISA warrant on Page, you, quote, had hoped that emails and other communications obtained through FISA electronic surveillance will help provide valuable information about what Page did in Moscow in July 2016 and the Russian officials with whom he may have spoken.
Again, in the context of a counterintelligence investigation and specifically to the extent that you can talking about the counterintelligence investigation in Crossfire Hurricane, why would those types of communication be so valuable?

A. It would be valuable to us as part of USITC to see if there is any comprised -- an individual who's associated with a campaign.

Q. Right.

A. Not a campaign, but with an individual who's running for office.

Q. Understood. If emails, phone calls, records, the types of things that as a general matter, you can obtain through a FISA or obtain for an individual like that, you learn more about where they went, who they met with, what the topics of conversation may or may not have been, and the like?

A. Ideally, yes.

Q. Are you aware that Special Counsel Mueller was unable to determine -- this is a quote from the Mueller report on page 101 -- was unable to obtain additional evidence or testimony about who Page may have met or communicated with in Moscow on that trip in July of 2016, leaving, quote, Page's activities in Russian not fully explained?
A. I have read that.

Q. So even today, based on that finding in the Mueller report, that question, who he met with, what exactly his activities were in Russia, remains unanswered?

A. Yeah. I would assume so, yes.

Q. Based on the Mueller report?

A. Based on the Mueller report, yes.

Q. Are you aware that -- and this is a quote from another Russian investigation, the one conducted by the Senate Intelligence Committee, SICI, despite the meticulous records Page kept on his personal hard drive detailing his daily routine, when SICI asked him about that trip to Moscow, quote, he was unable to recall any details of his trip or the names of senior Russian officials with whom he met. Are you aware of that finding from them?

A. I am not aware of that finding.

Q. The recent report?

A. I haven't had a chance to read it.

Q. In addition in Page's July 2016 trip to Russia, which is the trip we've talking about, you told OIG that by October 2016, you, quote, had learned through travel records that Page was planning another trip to Russia and, quote, the Crossfire Hurricane team
wanted to find out what he was going to do, who he was
going to be in contact with, and why he was going,
because it just seemed very odd.

Now, without -- again, without revealing
anything classified or getting anything that you can't
get into -- so let's speak in general terms. If an
individual of the kind that we were talking about
before, you were looking into and looking into their
ties and past travels to Russia, schedules another trip
back to Russia, why would that be something that the FBI
would have a desire to know about?

A. Because given what we knew at the time
and him being asked, essentially, to separate from the
campaign in September, why do you continue to travel
back to Russia? If your concern is did he make contact
when he was in Moscow in July, is he going back to
continue that contact?

Now, a lot of this is supposition based on what
we knew at the time, but it seemed unusual for us that
he would go back soon thereafter and it was a concern
for us as while he was separated from the campaign at
the time, did he have access to -- in my personal
opinion -- I can't speak for the team -- it would be is
this a continuation of his recruitment cycle or is he
reporting to that individual, so he can't report to the
United States?

And reporting meaning if he was -- now, again, as I said earlier, this is supposition, but it just doesn't -- it just seemed odd to us as a team.

Q. Right, and the fact that he had been formally separated from the campaign at that point did not mean that he could not have been continuing activities that he was doing when he was formally a member of the campaign?

A. That's correct. He still had contacts within the campaign that he might be able to report on. A lot of what we do in counterintelligence is to gather assessment information on others as well. So even if he was separated from the campaign, he may be able to provide information, assessment information on others to individual associates with the campaign, not campaign itself.

Q. Also related to Carter Page, you were asked a number of questions about the errors in the Page FISA application that the Inspector General identified. I had mentioned earlier that the allegation that has been disproven by the Inspector General that those errors were intentional errors to take down Trump because of some sort of bias, and we had talked about the bias part earlier, but to turn to the intention
part, the OIG in its report found no documentary or testimonial evidence of the pattern of errors that OIG you committed, quote, was intentional.

Did you commit any of the acts that the OIG identified as errors intentionally, meaning that you knew it was the wrong thing to do, but you did it anyway for some reason?

A. No. In fact, in some of those errors that the IG purportedly found, I made good faith efforts to share the information with OI, to include the information about the OGA, information -- to include information whereby a subsource of Steele was -- that information was provided to OI. OI claims it was too long. It was not. It was a paragraph.

I go back to my original point that everything I passed to OI, I expected them to read.

I additionally included a transcript between CHS 2 and Carter Page where I think the report says he denied meeting with Sechin and Diveykin. I did -- we, I, or whoever provided that information to OI in transcripts and the IG reported that I didn't flag it specifically for OI to read. So I would take issue with some of the findings that found as errors; but to your point, there were no intentional omissions. I had full transparency. I acted in good faith for everything
throughout the entire process.

Q. Now, I heard you talk today a little bit about the tempo of the investigation, and one point, you said that, you know, the team was stretched. The IG noted that -- and this is page 378, Note 49 -- 499. I apologize.

"After reviewing the report, members of the Crossfire Hurricane team told us that their performance should be assessed in light of the full scope of responsibilities they had in 2016 in connection with the FBI's counterintelligence investigation and that the Carter Page FISA was a narrow aspect of their overall responsibilities."

Now, you've also talked about a handful of different operations that you were involved in, including, you know, some of which had travel associated with them over the course of the investigation.

Is there any additional context about your responsibilities during Crossfire Hurricane that you think would be important to a full understanding of what the Inspector General has identified as errors?

A. Yes. So, holistically, if I may, in retrospect, given the scope of investigation, we made -- there was a tradeoff made institutionally between keeping this investigation quiet so it doesn't
interrupt or interfere with the electoral process of the United States of America and protect those being investigated at the expense of staffing the investigation properly. We had multiple operations, counterintelligence operations, on top of working on FISA and other factors.

The scope and pace of that investigation, in my opinion, and I won't speak for others involved, but deemed a much larger investigative team, to include more special agents, to include more intelligence analysts and other support staff. Additionally, we were hampered by running this investigation out of Headquarters, because every operation we did, we had to rely on another field office to process information, either electronic or whatnot.

That, to me, in retrospect is a decision that's made way above my pay grade, but I believe given the pace, given the pressure I think we felt internally, we needed more help. If you're going to run a proper investigation and you're going to do your investigation well, to minimize errors and minimize overwork and minimize anything that may have found in this report, we would have been better served to have a larger investigative team.

Q. And, in your experience as an agent, do
you think in a different circumstance where you did not have the issue that you said is motivating keeping the team small, making sure the fact of the investigation was kept to as small a number of people as possible, if that didn't exist, would the team have been double the size or triple the size or a handful more agents? Can you give me a ballpark?

A. The phrase I like and it was described by somebody else on the team when we were working the case is we were given a thousand-piece puzzle. We were slowing getting it together. In the midst of it, we're thrown another thousand pieces.

I think to answer your specific question, I don't know what the proper resources would have been. I don't know the number of agents that were assigned to the Special Counsel's Office, but I know it was far greater than what we had originally in the Crossfire Hurricane team and that as far as I know, their team was much larger and they had pretty much the same mandate that we had, and I think that it was not a failure, but it was something that I imagine it should have just upgraded the investigative staff as needed.

We sometimes have a problem of putting 100 agents on a case that we only need four, but I think that as we garnered more information, garnered more
leads, garnered just more investigative activity, we
should have slowly upped the staff so we had a proper
staffing level.

Q. And you had said earlier when we were
talking about the bias allegations that the Crossfire
Hurricane team took steps to ensure that their work did
not affect the election and also would not be perceived
at some point down the line as being political. Just
for clarity, this seems like one of the -- and I
apologize.

You also said that you pursued those and even if
it meant doing something that might be -- not doing
something that could help the investigation or doing
something that might be contrary to the success of the
investigation.

To me, this seems like one of those decisions on
a very high level to keep the team small that absolutely
affected the investigation, in your words, adversely,
but it was a decision made for the sake of ensuring that
the investigation did not affect the election. Is that
correct?

A. That's correct.

Q. Okay. And just to take one piece out of
the answer you provided, you talked about the
thousand-piece puzzle. The Mueller investigation,
which, you know, took two years, ultimately identified something in the range after 120 different contacts between the Trump Campaign and Russia. Some people have the count higher, but at least 120.

When you say different puzzles are being -- a thousand-piece puzzle and another thousand-piece puzzle, can you elaborate on that? Is that new contacts between -- or new potential contacts between members of the campaign and Russian? What do those puzzle pieces look like?

A. I think it was a combination of information we had at the outset of the investigation. The Steele information was that other piece.

I think we started to get a firm footing on that first part of the investigation. I think the Steele reporting, that's where we needed more help to, "A", start really drilling into that, because at the same time, we were receiving that information, we were running operation overseas. We were trying to get in front of Carter Page specifically. We were handling sources. We were trying to make determinations if there were other sources that could help us with the investigation. There were some meetings partners.

So we were stretched thin. At one point, I know that I had to travel up to New York. I had mentioned
when I first heard of the Steele Dossier, I was up in New York because we were chasing another lead of an individual who was of interest of us in New York. So took me, basically, offline for roughly a week. Out of four -- an investigation where we only had four main case agents, that's a quarter of your staff gone. That's just -- it was difficult to be away, because we had everything going on. That's where I go back to what's the proper staffing level. I guess the answer to that is it should have been more than we had.

Q. Thank you.

Stepping away from the greater context and to the FISA errors themselves and actually put them in context, only 14 pages of the 448-page Mueller report addressed Carter Page, and in December of last year when Inspector General Horowitz testified before the Judiciary Committee about the report, he stated that the errors do no call into question, quote, any part of the Special Counsel's report.

Do you have any evidence that the FISA errors call into question any part of the Mueller report?

A. I can't answer that specific -- I'm sorry. Can you rephrase that?

Q. Do you have any evidence that any of the individual errors identified by Inspector General
Horowitz call into question the ultimate findings of Special Counsel Mueller?

A. I don't think I can answer that. I'm sorry.

Q. I'll take just one more run at it. The question is do you any evidence that that is the case, any affirmative evidence that this errors means that this finding in the Mueller report is incorrect?

A. No.

Q. The Inspector General recommended a number of corrective actions, include changes to Woods forms and the FISA request form that are designed to ensure that OI receives all relevant information. Director Wray accepted and agreed to implement all of the IG's recommended corrective actions.

Do have any reason to believe that the FBI isn't taking appropriate steps in response to the IG report?

A. No. Having gone through the FISA training, I think what the OIG report did do is indicate there was an institutional issue with FISAs with the FBI. Having gone through the training, I feel that it's -- as of now, it's good sufficient training for everybody within the organization.

I'm sure it will be tweaked in the future and it's something I think the organization needed.
Q. And so you have -- it seems like you have confidence that the corrective actions taken and that will continue to be taken will adequately address some of the issues the IG report highlighted?

A. Within the FBI, yes. I think -- yeah. I think there could be changes more amongst not just the FBI, but from DOJ as well; but I think we'll get there, but I think that the initial changes that were made are sufficient enough at this point.

Q. Okay. Do you have additional recommendations, whether on the DOJ front or the FBI front, that you would like to share with us?

A. Not at this time.

Q. Okay. I'm also going to follow up on some questions you were asked about the Steele Dossier and the role that it played in the Page FISA applications. Crossfire Hurricane was open on July 31, 2016. The IG determined that the Crossfire Hurricane team didn't even become aware of Steele's reporting until September 19th and that, quote, Steele Dossier played no role in the opening of Crossfire Hurricane. Are you aware of evidence that disputes that finding?

A. No.

Q. Horowitz testified before our committee
that the Carter Page FISA errors related to Christopher Steele did not call into question, quote, any part of the Special Counsel's report. You answered this earlier. Now that I've laid out the testimony that Horowitz gave, do you have any reason to dispute the testimony that Horowitz gave?

A. I do not.

Q. Former Deputy Attorney General Rod Rosenstein, who supervised the Mueller investigation, also testified before the committee as part of its investigation, and my boss, Senator Feinstein, asked him to identify which finding in Mueller's report relied on information from the Steele Dossier. Ms. Rosenstein said, and I quote, I don't believe that there is any such information.

Do you have any evidence to dispute that statement by former Deputy Attorney General Rosenstein?

A. I do not.

Q. Rosenstein also testified that none of the 199 criminal counts that resulted from the Special Counsel investigation relied on information that was obtained from Steele. Do you have any basis to disagree with that statement by Mr. Rosenstein?

A. I do not, no.

Q. Now I'll turn to the questions you were
asked about the primary subsource. You participated in an interview of the primary subsource in January 2017 and helped memorialize it in a memo that Chairman Graham recently released publicly. I would like to ask you a few questions based on both your attendance at that interview, but also, more broadly, your expertise as an FBI agent about some of the allegations that have been made about the CSS.

In your experience as an agent, can information a source obtains from someone else be reliable?

A. It can, yes.

Q. So, in other words, the fact that the source obtained information from someone else doesn't, standing alone, make the information unreliable?

A. No.

Q. And is it true that where a source has obtained information from other sources, it's important for the FBI to understand where the information came from or, in other words, that source's source network?

A. Absolutely.

Q. And I know you talked a little bit about this earlier, but if you wouldn't mind elaborating. Why is that an important step for the FBI to take?

A. It help us understand the placement and access that subsource would have or does have and it
helps determine where that information is coming from as opposed to it's something who hears something while they're walking down the street as opposed to somebody who is working in an office where they can observe a meeting occurring. That's of value to us. Right? We'll place more value on that over somebody overhearing something on the street.

It's all about placement and access, and to my point earlier, by identifying those individuals and then making a determination if we can then go back to those individuals as FBI agents to try and recruit that individual to work with us, thereby, you know, eliminating the middle man and getting the information from the source.

Q. And we've heard a handful of different allegations that are intended to discredit Steele's primary subsource. The first is that because the primary subsource was not a well-connected current or former Russian official and wasn't based in Russia, the information he provided to Steele was unreliable. Some members referred to it as, quote, second- and third-hand information and rumor at best; but, as you said, the fact that a source, like the primary subsource, obtained information from others doesn't, standing alone, make the information that individual obtain unreliable.
Correct?

A. That's correct.

Q. It doesn't make it rumor at best?

A. That is correct since we had a fairly good understanding of who was in that source network.

Q. But in a more general sense, just because somebody obtained it from somebody else doesn't make it rumor at best?

A. Right.

Q. And the FBI, in your words earlier, just needed to, quote, drill down on the who the sources are; that's how you determine whether it's rumor or reliable information; is that right?

A. That's right.

Q. And is that among the reasons why, if not the principal reason why, you went and interviewed the primary subsource?

A. Who we believed was the primary subsource at the time.

Q. Who you believed was the primary subsource, and the main reason or one of the main reasons, I would imagine, why you asked the individual that you believed was the primary subsource about his or her source network?

A. That's correct, because at the meeting
with Steele, he was reluctant to give us specific names.

So if we got to that primary subsource, we would be able to determine where precisely all the information was coming from.

Q. And if you read the memo that you worked on after that meeting, you see that there is information about one of the things you said was very important, which is access of the primary subsource's sources. For example, Source 5 is said to, quote, have ties to the Russian Intelligence and Security Service.

Would someone with that background who has access to the Russian Intelligence and Security Service be well-positioned to provide information relevant to connections between an American political campaign and a government that is actively interfering in the election?

A. 

Q. Have the sort or access that would make him reliable?

A. That's correct.

Q. The memo identifies another of the primary subsource's sources, Source 3, as having, quote, direct and indirect contact with a deputy or multiples deputies in -- redacted. The redaction, presumably,
refers to a foreign government or a foreign government agency.

Would someone with that sort of background also be in a position to have the access to provide reliable information?

A. Yes.

Q. Switching to a different allegation that we've heard to the discredit the primary subsourse, that the information provided was unreliable -- sorry -- the individual who you believed to be the primary subsourse was not reliable because he was paid by Christopher Steele. Does the fact that a source has been paid in connection with providing information, as a general matter, mean that that information is unreliable?

A. No.

Q. In fact, doesn't the FBI routinely compensate sources who provide the Bureau with information?

A. We do, yes.

Q. Executive Assistant Director Michael Steinbach told us -- former Executive Assistant Director of the FBI, Michael Steinbach, told us that the source in almost all cases is doing it for some ulterior motive, get himself out of a jam, for money. Is that your experience, that sources often have an ulterior
motive?

A. Yes. Yes. They do. Ulterior motive, depending on national security or criminal, but there's sometimes a motivation for that.

Q. And if there is an ulterior motive, sometimes that motivation is getting paid money?

A. Absolutely.

Q. And the fact that they, in your view with your many years of experience as a agent, does the fact that they're getting paid mean that that information is not reliable?

A. No.

Q. Steinbach also told us that with all sources, you take a look at it. You apply healthy skepticism. A lot of times, source information is only partially correct. So you need to investigate to try and develop more information to run down those leads.

Is that how you approached Christopher Steele and the primary subsourse, with a healthy skepticism?

A. We always do. We always want to be on guard with the information that's being passed to us. There could be an agenda, but that's why, in this case, another reason why we want to get to the source of the original information.

Q. A third allegation we heard about the
primary subsource is a more recent one and I will do my best to avoid any questions that you can't answer. Please let me know if I don't do that successfully.

The claim is that the CSS had ties to Russian intelligence, was a Russian agent providing Russian disinformation to harm Trump. Speaking generally, if a source has ties to a foreign government or an intelligence agency, I imagine that can pose risks that make, that can make, the information they provide less reliable, that it can; it's not only the only option, but that's one of the possibilities?

A. It's possible, yes.

Q. And as we discussed, the FBI has methods of drilling down on sources and figuring out whether the information they are providing is reliable?

A. We always do.

Q. On the other hand, a source has ties to a foreign government or intelligence agency could provide benefit; the information that they provide could be more reliable given the access that they have; is that correct?

A. Yes. In my role as a counterintelligence professional has been to tend to recruit intelligence officers who are foreign agents to work on behalf of the United States Government, and that's part and parcel of
what we do in the counterintelligence realm.

Q. And you also said earlier that one of the things that -- one of the reasons you like to meet with subsources and someone's source network is to make them a source?

A. Yes.

Q. So you said that, you know, one of the reasons you get FISA coverage on a foreign intelligence office in part of your work in counterintelligence is to recruit foreign intelligence officers to be sources?

A. That's right.

Q. You've also said that part of your work is recruiting the source of the source to be a direct source?

A. Yes.

MR. HASKELL: I think that is all I have on that topic. I think that is all we have for this round.

MR. SOMERS: Do you want to take a quick break?

THE WITNESS: Yes.

[Whereupon, at 2:27 p.m., a recess was taken, resuming at 2:35 p.m.]

MR. SOMERS: All right. It's now 2:35.

FURTHER EXAMINATION BY THE MAJORITY

BY MR. SOMERS:

Q. When we were last talking, we were
talking about the primary subsource interview that occurred in January of 2017 that you took part in. Did you take part in arranging for the interview to occur prior to it occurring?

A. I believe the planning was done by DOJ, which was represented by an attorney.

Q. But the FBI tried to reach out to the primary subsource directly before --

A. So we reached out to him on a Friday evening and we made contact with him. Myself and SSA 1 went to his attorney's office at, I believe, 2 a.m., whereby we discussed his client. He had retained counsel. So then we -- if I recall correctly, we set up the meeting with the primary subsource and his attorney.

Q. Do you recall where the interviews took place?

A. They took place in the Washington Field Office. I don't know the address.

Q. Is it possible the interview took place in the attorney's office?

A. The first meeting we had with his attorney -- I don't recall that the primary subsource was there -- was in the attorney's office. The meetings that I took place on, that -- excuse me -- I took part in in January, I believe they took place in the
Washington Field Office.

Q. You believe or you --

A. To the best of my knowledge, I recall sitting in the Washington Field Office, conducting a few days of interview.

Q. I'll just say why I'm asking is the electronic communication that combines all the 302s of the interview indicate that it did, in fact, occur in the Washington Field Office. We had another witness who took part of an interview come in and testify that the attorney from the DOJ that was in most of interview, he believed the interview took place in the primary subsource's attorney's office.

A. Without knowing who the DOJ attorney was, there may have been a DOJ attorney -- I don't recall who was in that meeting at the 2:30 in the morning call, you know, the meeting we had. So without knowing who that attorney was, I can't answer.

Q. [REDACTED] testified before this committee last week, [REDACTED], and he, to his recollection, he took part in the three-day interview or at least the second two days and possibly part of the first day of the three-day January interview of the primary subsource. To his recollection, that interview occurred at the primary subsource's attorney's office.
I'm just trying to clear up what the discrepancies are.

A. Yeah. I don't know. The way I remember it is we were in the Washington Field Office in an interview room on the first floor.

Q. Okay. Who was the primary questioner or the lead? I guess you refer to it as a lead.

A. Yeah.

Q. Who was the lead on the primary subsource interview?

A. So there were DOJ attorneys present. There was myself and the SIA. On an interview like that, I don't think anybody took a lead. I think the SIA, who is well-versed in, you know, Russian counterintelligence and other Russian matters, he and I kind of collated. I don't think at that point, there was a lead.

This was just like a -- it was just a sit down and get him to talk. The first time you're sitting down with a source is to build a rapport with that individual. So whoever kind of fits the mold during the course of that interview, that's who -- you know, no one really took the lead.

Q. It is unusual to have an analyst sort of share the lead role with an agent?
A. Not in the way I've done my work. I view the SIAs and IAs as counterparts. They're experts in their field.

Q. Who was the primary drafter of the 302s?

A. The SIA.

Q. Did you have any role in those?

A. I reviewed them. I reviewed to make sure it was accurate.

It was an EC, not a 302, just for the record, the write-up. So he drafted it. I just read through it to ensure that it was accurate.

Q. My understanding is -- maybe this refreshes your recollection. Maybe it does not. Maybe my understanding is wrong -- that there were three 302s that were then eventually combined in an EC.

A. Yeah. I just know it was a lengthy document. The iterative process that occurred, I can't recall.

Q. Okay. That's fine.

Now, eventually, in the FISA applications that occurred, the two FISA applications that occurred after the primary subsource interview, the interview was characterized -- the primary subsource was characterized as being truthful and cooperative. After your three-day interview with the primary subsource, would you
characterize him as being truthful and cooperative?

I'm not saying that's your word. I'm asking if you would --

A. I think he was cooperative with us. It was the first time we sat down with him. So I felt when asked questions, he answered them to the best of his ability.

So that was the only time I sat down with that individual.

Q. So you can't speak to truthful?

A. No. I'm not saying that. I'm saying that he answered the questions that we asked. I didn't think he was -- I'm sorry. He or she -- was deceptive or not, but I felt at the time, the individual was cooperative and truthful.

Q. Do you recall ever describing -- obviously, these words, truthful and cooperative, made it into the FISA. Do you recall --

A. I don't recall. I mean, that's not how we speak. I just thought when I got back and spoke to the individuals about the investigation, I thought we got information from him and we going to analyze all that information that we received.

Keep in mind that I transferred all responsibilities in that case soon thereafter, after
that interview. So I don't know where that language
came from.

Q. So we had the 2 a.m. meeting at the
attorney's office and the three-day interview.
A. Yeah.

Q. Are those your only interactions with the
primary subsource?
A. Yes.

BY MR. BAKER:

Q. Did you say earlier that it was an FBI
analyst that identified who the primary subsource was?
A. I believe it was an analysis. It was
produced by the intel cadre. So I don't know who
specifically identified him. If I recall, thinking back
on a few years ago, I believe that came from an
analytical cadre.

Q. Would that analytical product also have
had information that where the primary subsource most
likely lived or other information besides the name?
A. I can't speak to the specific product.

Q. Were you or anyone on the interview team
or even the broader Crossfire Hurricane team surprised
where the primary subsource lived once he was
identified?
A. Yes. Yes.
MR. BAKER: Okay.

BY MR. SOMERS:

Q. The IG report goes on, goes over on page 186 and 187, the bottom of 186 ad the top of 187. This is in reference to this interview: "In particular, the FBI's interview with Steele's primary subsource in January 2017, shortly after the FBI filed Carter Page FISA Renewal Application No. 1 and months prior to Renewal Application No. 2 raises doubt about the reliability of Steele's description of information in his election reports."

I'll just read the last clause again: "Raised doubts about the reliability of Steele's description of information in his election reports."

Was that your impression of the primary subsource interview?

[Witness peruses document.]

THE WITNESS: I can't recall. I can't recall that specific instance.

BY MR. SOMERS:

Q. Not the specific instance, but --

A. Or not that comment. I can't recall if I felt that there was doubts about the reliability of his information.

Q. You didn't come out of the interview with
that impression?

A. No. Not that I recall. Sorry.

Q. Now, this is not an interview you took part in, but I want to see any of these same type of comments occurred in an interview you did take part in.

In March, the primary subsource was re-interviewed by the FBI. In that interview, the primary subsource said that -- this is from an Washington Field Office agent. His comment is that the information he was giving Steele was based on conversations with friends over beers, that the primary subsource characterized the information he gave Steele as word of mouth and hearsay, that the primary subsource told the FBI the information was intended to be taken with, quote, a grain of salt and that the corroboration was zero.

Were any comments along those lines made during the January interview?

A. No.

Q. Had you ever seen -- go ahead.

A. I'm just trying to recall.

He described the network to us. He described who these individuals were. He described meeting these individuals at various times and various locales where he got the information from, but he identified each
individual, for the most part. He identified individuals with whom he spoke with and provided information, and my role was, I believe my role was, to identify those individuals get in front of those individuals.

Q. But did the -- is it correct to say that the primary subsource took exception to do what he referred to more as a group of friends as being referred to as a network?

A. That's not -- that wasn't expressed during the course of the interview. He said they were friends of his in the network, but --

Q. I think the lawyers took exception to them being described as a source network and wanted them characterized more as a group of friends. Do you recall that?

A. I don't recall that.

Q. Did you speak with the agent before -- we don't have a name, a Washington Field Office agent. Did you discuss your interviews with the primary subsource with the agent? I can't give you his name.

A. Not that I recall. As the case I was working was so close hold and the case agent had no real need to know, I don't recall any specific conversations with him about that.
Q. And vice versa, he didn't come to you after he interviewed the primary subsource in March and tell you what he learned?

A. No, no, no. To the best of my recollection, no. I had transitioned off the case. I wasn't read into anything else that was going on.

Q. Was there a level of importance placed on this interview within the Crossfire Hurricane team before it happened?

A. Yes.

Q. Okay. What about -- so members of the team thought the interview was important; is that a fair characterization?

A. That's fair.

Q. Did Peter Strzok know about the interview that occurred before it happened?

A. I don't know.

Q. Bill Priestap?

A. I don't know.

Q. But, certainly, the supervisor of intelligence was in the meeting. Did SSA 1, was he aware of the interview before -- well, he helped set it up.

A. I believe so, yes.

Q. So you go interview the primary
1. subsource.
   
   A. To your point, the individual overseeing the Crossfire Hurricane case was -- Peter Strzok moved up, I think, and they moved another section chief into that role and she was aware of the interview. I think that was the highest executive management discussion I had.

BY MR. BAKER:

Q. Who was that?

A. Jen Boone.

BY MR. SOMERS:

Q. So you did discuss the primary subsource interview with Jen Boone?

A. I don't know if she was aware the interview was taking place. Again, I was not in the -- I was not part of the Headquarters component. I was back in New York. I flew in for it. I forget how it actually transpired, but I just remember her making a comment about it prior to the interview. That was about it. I can't recall any specific discussions that I had with her.

Q. She was the -- not ultimate, but let's say the ultimate supervisor at that point?

A. She was the section chief at the time.

Q. So you interview the primary subsource.
People thought the interview was important prior to it occurring.

Was there a meeting about it afterward, a briefing?

A. I don't recall a specific debriefing. I know when you take part these types of interviews -- I don't recall if we maybe had a quick debriefing after the fact. I can't recall any specific meeting that we had.

Q. Did it come up in the regularly-scheduled meeting?

A. I was no longer down in Headquarters. The SIA was. When I traveled back to the Bureau, that was the last interview that we did. Whether or not the SA brought it up at the regularly-scheduled meeting, I can't answer that.

Q. Did you discuss any inconsistencies between the Steele reporting and what the primary subsource said in the interview with the SIA?

A. So we had a lot of information in the span of three days. So I don't recall any discussions soon thereafter. I don't recall -- again, I left the case soon thereafter. I don't recall having any discussions about any inconsistencies that really stood out in my mind.
The one thing I do recall is mentioning of the meeting we were having in New York with a certain individual. So that was a thread for me to follow when I came back to New York, meeting with the individual. So I looked to see if I could track that individual down.

Q. So the 57-page summary -- did you see the 57-page summary at the time?
A. Yeah. I must have.

Q. Do you know where that 57-page summary was sent?
A. It was put into the case file for Crossfire Hurricane, I believe.

Q. And who had access to the case file?
A. Anybody that worked the case.

Q. Would Pete Strzok have had access to it?
A. Yes.

Q. What about Bill Priestap?
A. I believe so. I don't know who was on the case access list, but it would be normal practice for anybody, as I mentioned earlier, anybody who was working on the investigation all the way up through the chain to have access to that.

Q. Does the Justice Department have access to that?
A. No.

Q. OGC at FBI?

[Witness confers with counsel.]

THE WITNESS: Yeah. I believe so, yes. I think OGC would have. I believe OGC attorneys would have access to it.

BY MR. BAKER:

Q. So Justice wouldn't have access to it?

A. I'm sorry. I didn't hear you.

Q. DOJ wouldn't have had access to it, but like you did with some other stuff to OI, did you let them know that there was this document that had been produced if they wanted to see it?

A. I was pretty much transferred off the case at that point. As it was finalized, I was in the process rolling off that case. How, if, and when OI was informed about that, I don't believe I took part in any conversation.

Q. Is that something they should have been informed about?

A. In the course of business, I think that it would have brought up, but I don't want to put myself in their shoes.

Q. I understand you don't know if it was or wasn't. I'm just asking in the course of the craft of
counterintelligence and the way that FISA work with DOJ and FBI, is that something that should have been shared?

    If it wasn't, I don't know. I'm just saying is that something that you would share?

    A. It would be something we would share. As I've said all along, we're transparent with OI. I think that helped, you know, described the source network and the primary subsourse. So it's something that I would have shared.

    Q. In the three days of interviews that resulted in that document, do you recall either prior to the first interview or after each day of interview, was there any kind of group or team huddle to figure out what ground you covered, what you want to do, make sure you're moving forward in each day of interviewing?

    A. No. As I said earlier, I can't recall any specifics. I think the first time you meet a source or potential source, I should say, it's a bit of a feeling-out process, spending some time getting to know the individual, where the individual is from, background, things along those lines.

    I think we had some areas we wanted to cover, but we had to go where the interview led us. It's kind of a -- it depends on the situation, but I think we had an idea of some questions we wanted to ask and I think...
we got some information that we didn't ask as we talked
to the source.

I can't remember specifics, but that's where I feel, to my point earlier, he was open with us, and when we asked questions, there didn't seem to be a lot of hemming and hawing to get information from him. Now, he had an attorney with him. So I don't know if there a comfort there as opposed to talking to a source off the street, but that's what I found. I don't recall any specific meetings that we had prior to or after any meeting with the primary subsourse.

Q. Was there any discussion, maybe not a formal meeting, but did anybody raise a concern that based on the totality of information known or what you knew at the time that this primary subsourse could not only be maybe shading or minimizing reporting, but he could actually be, he or she actually be, part of a disinformation campaign in what they were funneling to Christopher Steele?

A. Well, I think you're asking two different questions. Right?

I think you're asking if the source could minimize activity and then the next question is was he providing disinformation to us.

Q. I don't know that I'm asking if he was.
Was there a discussion that he could be based on the
totality of what was known about him at the time?

A. Could he minimize or could he be
providing disinformation?

Q. Both. I would assume that any source
could minimize, especially if it's something that
dirties them, but I'm more interested in was there a
discussion that he could be doing something far more
serious than minimizing, i.e., intentionally giving some
false information through some disinformation campaign
and not just having some allegiance to some other
entity, but actually working on behalf of another
entity?

MR. HEISS: I'm going to ask the witness not to
answer the latter part of that question. You can answer
whether or not you thought in your interview with the
subsource whether he was minimizing, but I think that
the second part of that question goes directly to this
new allegation that arose last night, and the witness is
not going to answer that question.

BY MR. BAKER:

Q. I'm not interested in any allegation that
rose last night. As a general proposition, was there
that concern?

Because I'm assuming in counterintelligence,
when you're dealing with sources, there's always some issue -- because of what they're reporting on, there is always some issue as to what their true allegiance is. I'm just curious was there a general concern going into it since this was a primary subsourse and a lot of that information was used for sophisticated investigative techniques.

Was there concern that this person could have an allegiance that was not to Christopher Steele?

MR. HEISS: If you want him to answer the question in general, whether or not when you're interviewing a source, there is a concern or potential concern that either the source is minimizing or may have ulterior motives for the information provided, you can answer that. We covered that, I think, before, but I think the more specific question does raise this issue which has only recently emerged and we're not prepared to deal with it now.

THE WITNESS: Could sources minimize, especially the first time they meet with us, there could be pieces of information they have, from my experience. The reason we had -- I brought the SIA with me is to take the information and then whatever information we're given, to check the veracity of the information given what we knew at the time.
MR. BAKER: Okay.

BY MR. SOMERS:

Q. Did you believe he was minimizing his -- I think it's indicated in this 57-page summary -- that you thought he might be minimizing or not fully explaining his contacts with Russian intelligence?

A. I wasn't sure what specifically he was minimizing, but it's been my experience that the first time you get in front of a source, especially the way we approach the source, there's always the chance that that individual is holding back some information from us. That's where the source handling relationship comes in.

Q. Did he reveal a relationship with Russian intelligence officers during the -- suspected Russian intelligence officers during the interview?

A. I can't recall specifics.

Can you rephrase that question? I just want to make sure I answer.

Q. I don't want to pull the whole 57-page summary out there. I thought in the 57-page summary of the interview that as you were discussing the different sources of people he knew in Russia, I got the impression that you all had the impression that he was not being forthcoming about his contacts with Russian
intelligence, individual associated with Russian intelligence?

A. One of his sources was a former intelligence officer through contacts he had back home. I can't recall any of the specifics.

Q. Okay. Did you understand coming out of the interview, after the interview was over, that the primary subsource was actually sort of a contract employee of Orbis Business Intelligence?

A. Yeah. That came up in the discussion, that he worked for Orbis in the past. That was part of the -- I think when we were getting to know him a little bit.

Q. Did it become apparent that the primary subsource was in the United States?

A. I'm sorry?

Q. Did it become apparent that the primary subsource lived in the United States?

A. Yes.

BY MR. BAKER:

Q. You had said earlier with a similar question I asked that it was a surprise where this individual ended up living. Why was it a surprise?

A. I don't know if we want get into where he lives, where the primary subsource lives. It was closer
than I thought, not because of the information primary subsource was providing, just because we were scouring -- we weren't -- we wanted to get in front of him and he was closer than we thought.

BY MR. SOMERS:

Q. Prior to learning who the subsource was and where he lived, did you believe he lived in Russia?

A. I don't think I was aware. I don't think I had an opinion or a thought of where he lived. Him living the United States doesn't make a huge -- it's not -- I was just -- it's not a surprise. It was just more of a humorous surprise, more of an investigative surprise.

Q. So if the FISA application said the primary subsource was Russia based, you did not put those words in there?

THE WITNESS: Hold on.

confers with the witness.]

THE WITNESS: Repeat the question, please.

BY MR. SOMERS:

Q. If the FISA said that the primary subsource was Russian based, are you testifying that you wouldn't have put those words in there because you didn't think he was Russia based?

A. If it says that, I don't recall providing
that.

Q. You don't recall providing that?
A. I don't recall that.

Q. You talked in the last round with the
Minority about whether money could be a motivation for a
source and you said you wouldn't necessarily discount a
source if money was the motive. Could spreading foreign
disinformation be a motive?

A. So I think anything the FBI receives from
an individual can be motivated by various factor. The
role of the FBI is to take that information and vet it
and run it through out -- you know, to track it down and
to make a determination if it's false, it's true, or
disinformation. Our role is to take in the information
and vet it all out.

Q. Are motives more important to take into
consideration than others?

A. I think it depends on the motive. I
think it depends on --

MS. ARGENTIERI: I'm unclear on the question.

To him or to the person giving the information?

BY MR. SOMERS:

Q. To how you take the information, how you
receive the information. You receive information. You
said money may not matter. I'm asking
whether -- there's got to be a whole host of factors of things you want to take into consideration as you receive information. I'm trying to understand whether some of those motives, you just don't discount?

A. The motives of the source?

Q. Of the source in providing FBI with the information.

A. I think it depends on the source. I think it depends on the situation. We recruit intelligence officers who we pay to provide information. Although we pay them, they may be motivated by ego, but we will still take the information and we take whatever information we have. As I said earlier, we'll always accept the information, and then our role as investigators and the intelligence cadre is to go through it, to vet it, to ensure it's accurate and to report on it.

Q. Did you --

A. If we find a problem with it, then we determine if we want to continue the relationship with that source.

Q. Did you get leads -- so in the interview, I can kind of tell, although there's a lot of redactions from the 57-page summary, that you were probing the primary subsource on his sources.
1    A.     Yes.
2    Q.     I'm trying to get "subs" out of here.
3    Did you develop leads out of the interview with
4    the primary subsource as to who his sources were?
5    A.     We did. Again, I don't know whether or
6    not -- if you read the version that I have seen -- it's
7    been a few years since then -- once identified, I asked
8    about if that individual would be amenable to be in
9    contact by the FBI, if that individual would be -- so
10   the way I envisioned my role in that interview is to get
11   the subsource or whoever. Once those are identified, to
12   figure out where those individuals reside or how we
13   could safely get in touch with those individuals so that
14   the FBI, USITC, or whoever could get in front of those
15   individuals, albeit the United States or a third
16   country, then, as I mentioned throughout the course of
17   this day, to get from the primary source information.
18    Q.     Did the primary source -- I'm not asking
19   you the actual name. Did he provide you with the names
20   of his subsources?
21    A.     He gave some names.
22    Q.     Do you recall any discussion within the
23   Crossfire Hurricane team, first, about then trying to go
24   into interview these individuals?
25    A.     I remember I was -- even though I was
transitioning off, there was an individual I think I wanted to get in contact him, because this individual came to the United States on a fairly regular basis or somewhat regular basis.

Q. What about going overseas to speak to these people?

A. I think I remember one individual that was standing out that I wanted to go see if we could get in front of.

Q. Do you recall any disagreements about whether resources should be spent on going overseas to interview sources?

A. At that point, I think I was not affiliated with the investigation.

Q. How about prior to the primary subsource interview? You guys had some idea of who some of the subsources were. Correct?

A. Only through the October meeting that occurred with Steele, I think, but I can't recall any discussion about any disagreement about funding and trying to get overseas. Again, this goes to the resource issue. We were focused on some other things at the time. So the individuals whom were identified in that October meeting, we weren't sure how we would be able to get in contact with them.
Q. I want to clear something up. You said a few times and you just clarified that the person -- I think you said you had some reason to believe it was the primary subsource. It was clarified in earlier rounds. You had no reason to believe the person you interview was not the primary subsource; is that correct?

A. I wasn't involved in trying to identify and locate the primary subsource. That was a role that was, if I recall correctly, done by the intelligence analyst.

Q. So you were just clarifying that you're not the one that identified the primary subsource; you relied on the analyst to tell you?

A. Yes, which is what we do.

BY MR. BAKER:

Q. On that point, generally speaking, once the primary subsource or a subsource or any information is gleaned as far as an identity of somebody that you're trying to find, it would be just normal investigative procedure to sort of verify that that person could have provided the information they provided; they could have traveled to place they said they traveled?

You just wouldn't come up with a name and assume it's the right person; there would be some sort of
puzzle fitting of pieces to see that this guy is probably who he says he is or who he's purported to be?

A. Yeah. I mean, there would be steps taken to try. It wouldn't be just pulling a name out of a hat. It would be based on certain matrices that are developed by whomever is trying to identify individual.

BY MR. SOMERS:

Q. You answered this, but I just want to put a fine point on it. You don't recall, after the primary subsouce interview, anyone saying, Hey, we have a problem with the FISA as a result of the primary subsouce interview?

A. Not that I recall, no.

Q. Did you see -- we don't have access to the document. There's the 57-page summary that we've discussed. There's also, according to the IG report, a two-page shorter summary, essentially, of the 57-page summary.

Do you recall that document?

A. I don't. With the passage of time, I don't recall.

Q. Do you recall any role in drafting that document?

A. I don't believe I did, no.

Q. And just to be clear, you don't recall
taking part or as part of a regular meeting or any group meeting of the Crossfire Hurricane team -- this is the last one I'll ask you on this, but I do want to ask this question: You do not recall a meeting during which a larger group of the Crossfire Hurricane team where your three-day interview with the primary subsource was discussed?

A. I participated in numerous meetings even when I came down from New York for a specific meeting. I can't recall. There may have been, but again, I don't recall a specific meeting.

Q. Okay.

A. I'm sorry. It's been years. So I apologize.

Q. You don't have to apologize. It's been a while. I'm just asking for your recollection.

In terms of sources -- getting back to Christopher Steele himself, getting away from the primary subsource and getting back to the FISA itself, on page 131 of the FISA, this exchange seems to have occurred: "The OGC unit chief advised Case Agent 1 on September 22nd during the drafting of the FISA request form, she said, quote: One last thing, we probably need a little bit more on the source -- redacted.

It says: "This is essentially a single-source
FISA. We have to give a fulsome description of the source."

So you were -- were you aware that the source characterization was important in this particular FISA application?

A. I was aware of the importance because everything we put in a FISA is important.

Q. Were you aware prior to receiving that -- you've worked on, you said, around 10 FISAs -- that a source characterization statement, when you're relying on a confidential human source for information in a FISA, is important?

A. I have provided it in the past, yes.

Q. I mean did you realize it was important?

A. Yes. I understood it was something to include in the FISA, yes.

Q. So then: "Handling Agent 1 also told that FBI email instant messages reflect that he had provided language on September 23rd."

This is on page 160. I'm sorry.

"Handling Agent 1 also told that FBI email instant messages reflect had he had provided language on September 23rd to Case Agent 1 that the source characterization statement that was substantively different from the final language used in the FISA
application."

So what Handling Agent1, according to the IG report, provided you with is the following statement. I think the statement is on 161 if you want to look at it while I'm reading it into the record.

"CHS had been signed up for over three years and reliable. CHS responds to taskings and obtaining information from network or subsourse. Some of the CHS's info has been corroborated, when possible."

Do you recall receiving a source characterization statement from the handling agent?

A. I recall the back and forth between myself and him.

Q. About the source characterization statement?

A. [Gestures.]

Q. Then it goes on to say the characterization statement that you provided OI -- it says: "Case Agent 1 provided OI with the following characterization of Steele for inclusion in the FISA application. This information comes from a sensitive FBI source whose reporting has been corroborated and used in the criminal proceeding and who obtained information from a number of sensitive well-placed subsources. Several of the source's reporting is from
June 2016 through August 2016."

Within that, there's some other variations, but there's two variations that I would like to point out between what Handling 1 provided you and what he provided to OI. One is the clause "has been corroborated and used in criminal proceedings".

Do you recall where you got that phrase?

A. Yeah. I received that phrase from the intelligence memo that was drafted by the SIA.

Q. That's FBI product, the intelligence memo?

A. That's FBI product that we regularly use in FISA applications.

Q. Okay. And there's another clause in there that says "who obtained information from a number of ostensibly well-placed subsources". Where did you get the impression that his subsources were ostensibly well-positioned?

A. I believe that also taken from -- as stated the IG report, I took it from the intel memo from the SIA.

Q. Why did you take a source characterization statement from the intel memo and not from the handling agent?

A. We typically take information from intel
memos. I believe they're vetted products and approved
at I forget how many levels, but they are normally
incorporated into our FISA applications. My
understanding in reading the intel memo, the SIA did
dive into information that was provided by Steele to the
FBI. That language was incorporated into the
intelligence memo and, as I mentioned in the IG report,
I think I -- I'd need to find the exact quote, but I
used that language.

Q. Did you provide these two sentence to the
handling agent before you sent it to OI?
A. I did not, no.

Q. Did you realize at the time that there
was a Woods requirement that you did so?
A. No, I was not.

Q. And according to the IG report on page
183 at Footnote 329: "According to IG report, SSA 1
requested a human source validation review on Steele in
November of 2016."

Did you speak with SSA 1 about getting a human
source validation?
A. We talked about doing an asset validation
review.

Q. Is that an enhanced validation?
A. I forget if it was enhanced or not.
Q. Did you agree that it would be good thing to do?

A. It's always a good thing to do.

BY MR. BAKER:

Q. Why is it always a good thing to do?

A. We use sources all the time. I wasn't familiar with who this individual was aside from the meetings. There is harm in it that I thought.

Again, we had nothing to hide. It was just doing an asset validation review.

BY MR. SOMERS:

Q. Do you recall that validation review getting shut down?

A. I recall discussions, but nothing -- I was not part of it. So all I can recall are discussions that I had heard.

Q. Did SSA 1 come back to you at some point and tell you, Hey, we got turned?

I think he actually started the source validation review. Did he come to you and say, Hey, the source validation -- I'm sorry -- the enhanced validation was shut down?

A. If I recall correctly, yes. We met with -- I believe we met with the validation unit briefly, maybe one day, and I remember, to the best of
my knowledge, the SSA saying it was -- I don't know if "shut down" was the language that was used, but it was put on hold.

Q. But it was -- I used the words "shut down" or the term "shut down". My understanding is it was started and stopped versus never started.

A. Right, and I can't speak to that. I know that -- I recall -- again, this is the best of my recollection from a few years ago -- that there was a discussion where I heard from the SSA that it was on hold or whatever language you want to use, but I don't remember the exact language.

Q. Do you recall if he was frustrated by this, upset by it in some way?

A. That would be supposition on my part.

BY MR. BAKER:

Q. Did you have any understanding of why it was stopped or shut down?

A. No. No.

BY MR. SOMERS:

Q. Had you ever done an enhanced or any sort of -- have you ever requested a source validation review?

A. I have had source validation reviews on other sources in the past, I think once or twice.
Q. Is that unit at the FBI known for leaking information to the press?

A. I can't speak to that.

Q. As an agent, you've never heard that they were known for leaking information?

A. No. I've never heard that. This is the first time I'm hearing that.

Q. Have you heard that they leak information around the Bureau itself?

A. I have not heard anything along those lines except for today.

Q. Have you heard anything negative about the validation unit in terms of them letting information slip out?

A. I have never heard anything negative about them leaking information until today.

BY MR. BAKER:

Q. You said you've done enhanced validation on other sources, I think you said.

A. Again, I don't want to get stuck in enhanced or asset validation review.

Q. Sure.

A. I've had a review done on one or two sources.

Q. This is my lame kind of term for this.
Is it like a deep dive into the source?

A. They take a look at the source. They have access to the file, whatever source files, whatever closely-held things. They get access to it and they sometimes speak with case agents. Sometimes they don't, or the handling agent, I should say, and then they provide a report.

Q. So they might have access to things that a case agent might have not access to if you wanted to do, as a case agent, a preliminary search or something? This enhanced validation unit, it sounds like they have an ability to go deeper.

A. I can't speak to what access they have and don't have. Like I said, I've done it once or twice, but I never had a very good understanding about how they go about what they do.

Q. Is it your understanding that they would find things that you, as a case agent, might be interested in knowing about your source?

A. Yeah. I think -- well, yeah. They may call attention to some things the case agent may know, but given the relationship, the case agent, obviously, there are different types of relationships with sources. So it just calls attention to it, and sometimes they ask for updated records, things like that.
1     So it depends on the report.
2     Q.     In your experience for the few that
3     you've done, are they able to find things or have they
4     found things that you didn't know about the source?
5     A.     I don't recall, honestly. I can't answer
6     that specifically.
7     Q.     And you don't recall if SSA 1 was
8     frustrated or upset that this enhanced validation was
9     slowed down or stopped?
10    A.     That would be me putting emotion to a
11     comment I heard. So I can't speak to that.
12    Q.     But it was, in fact, slowed down or
13     stopped?
14    A.     From what I heard, it was either slowed
15     or stopped. I don't know what language you want to use,
16     but I recall a conversation. It was maybe a one- or
17     two-off conversation, but I can't recall specifics. I
18     don't want to put any emotion to a conversation that we
19     had, but it was a conversation we had.
20    Q.     Do you know of anybody on the Crossfire
21     Hurricane team that was frustrated beyond what a normal
22     frustration between investigators would be?
23     My understanding is a normal difference of
24     opinion amongst investigators ultimately or many times
25     very helpful. You play off of each other and come up
with a road forward that is beneficial to the overall goal of the case.

Was anybody so upset over something on the team, so upset over something that they couldn't do or weren't allowed to do that they left the team or --

A. No. Nobody left the team out of frustration. Nobody -- as you said, there is normal give and take between the investigative team members. I don't recall any -- it was a small team. We had some analysts join us here and there, but I don't recall any major frustration aside from the day-to-day and some people feeling they should be included in some things, you know, investigative steps.

Aside from that, that's just normal, but nobody left the team as far as I recall because they were frustrated about the pace or because of the investigative work.

Q. I think I understood you in dialogue with our Minority colleagues that you, maybe others, did a general frustration with maybe the resources that you had or the task that you had. Is that correct?

A. That would be a fair assessment.

Q. And how --

A. Well -- I'm sorry. Looking back on it, I think in the midst of we felt we were stretched thin,
but we understood management's decision to keep it lean
in order to prevent leaks and in order to, as I've said
all along, protect the integrity of the process and
those being investigated; but in retrospect, we could
have used bodies.

Now, is there an email or instant message where
I complained? Maybe, but that's -- again, that's mostly
in retrospect that, looking back on it, we should have
had way more people for this investigation.

Q. Do know if you did raise concern to
anybody that this is really a lot to do, that it would
be better served by having a few more bodies?

A. We probably had a discussion at that
point, but, again, we were trying to strike a balance
and we did the best we could given the resources we had,
but I don't recall having a conversation with anybody
asking for more -- that's not my role as a case agent.
I may have complained about it or said something about
it, like I said, but my role as a case agent is to
investigate.

Q. Did SSA 1 or anybody, I mean, hear your
general concerns or see your general frustration and
say, Well, I'm going to bring this up at a meeting with
the section chief or whoever?

A. Not that I recall anything specific.
Q. As far as you know, it stayed at the worker bee level?

A. Yes, as far as I remember.

MR. BAKER: Okay.

BY MR. SOMERS:

Q. Do you recall on September 23, 2016, Yahoo News published an article titled "U.S. Intel Officials Probe Ties Between Trump Advisor and Kremlin"? The article described efforts by the U.S. Government to --

MS. ARGENTIERI: I'm sorry. I want to just talk to him for one second.

MR. SOMERS: Okay.

[Ms. Argentieri confers with the witness.]

MS. ARGENTIERI: I'm so sorry.

MR. SOMERS: No. I was just reading.

MS. ARGENTIERI: That's okay.

BY MR. SOMERS:

Q. I don't know where we got cut off, but on September 23, 2016, Yahoo News published an article titled "U.S. Intel Officials Probe Ties Between Trump Advisor and Kremlin". The article describes efforts by U.S. Government intelligence agencies to determine whether Carter Page opened communication channels with Kremlin officials.
Do you recall this article?

A. I do, yes.

Q. Okay. Page 106 of the Horowitz report states: "In contrast, Case 1 sent instant messages indicating his belief that Steele was the, quote, western intelligence source mentioned in the Yahoo News article and Steele was, quote, selling his stuff to others. Case Agent 1 told us that the Crossfire Hurricane team later said Simpson or someone else who had the Steele information rather than Steele himself was responsible for furnishing the information to Yahoo News.

Why did you initially assess that it was Steele himself?

A. I believed the information in the news article lined up with some of the reporting that we had or recently received, I guess four days earlier.

Q. So was it your assessment or was it the team's assessment that it was Simpson or somebody else, not Steele?

A. We had a team assessment. I believe that -- so here's where my issue with the IG report comes out. I don't know when that IM was dated, if it was my instantaneous reaction to reading that article. That's a contemporaneous note I made to another
individual on the investigative team.

When we met as a team, first, we were concerned in that there was a leak in the investigation. Then we made an assessment that the information most likely came from the U.S.-based entities that had the information, that was based on after the meeting that we had with -- "we" being the team -- I'm sorry -- with Steele in October whereby he complained to Case Agent 2 and the SIA about the leaks in the investigation where he, I think, was worried about his source and his source network drying because of the leaks in the investigation.

This was discussed with the IG and you can see it here. He was not asking if was the source of that article by the team. I can't put myself in their shoes as to why he wasn't asked. My best guess is because he complained about leaks and these were, you know, individuals who he was -- Steele, as we know, is a foreign intelligence professional who would divulge information to the public.

After that meeting, I think we assess that this was opposition research and my best guess as to why we decided -- made the assessment was because the individuals in the U.S. who were getting the information from Steele were asking opposition research. So,
therefore, that would a natural avenue.

So I'm sorry. I just lost -- I apologize.

[Witness confers with counsel.]

THE WITNESS: I believe if you read the IG report, Stu Evans -- I'm sorry. I don't know if I can use his name or not.

BY MR. SOMERS:

Q. Yeah. I can.

A. I believe he said that they didn't hide the information, that most of it came from Steele, but we made an assessment given the information at the time as a team that it was most likely the U.S.-based entities that receiving the Steele reporting.

Q. A couple of questions: One, you mentioned he was concerned about leaks. It's my impression that the leaks that Steele was concerned about were leaks about were leaks of Mid-Year Exam investigation of Hillary Clinton's email serves, is my recollection.

A. Actually, sorry. I think when he first met with Case Agent -- I don't have the page. When he first met with Case Agent 2, he complained about leaks and he complained specifically, if I recall correctly -- I don't have the page. I'd have to find it where he specifically mentioned his sources. As far as
I know, he was not a source of the Mid-Year Exam.

Q. Okay.

A. So that's -- so I think, if I recall correctly, as is stated in here, the assessment of the people in the field, being me and those in front of him, assessed that to be him complaining about the Yahoo News article, because at that point, that was the only thing came out about anything revealing an investigation.

Q. But your concern with the -- I mean, the Steele ultimately gets terminated or whatever the proper terminology is as a source because of it was confirmed later in the October and November, October 31st and November 1, he gets terminated as a source because of a leak to the media.

A. Right.

Q. So it was relatively serious, was it not? If this was Steele leaking to Yahoo News, that would be a rather serious breach, would it not?

A. He was closed for talking to the press, but it began -- I'll point you to the report. I can't refer to the exact page, but Stu Evans also indicated that in the next FISA, we mentioned that Steele was closed for cause for speaking to the media.

Q. I was just asking whether speaking to the media was serious.
A. It is serious.

Q. On page 107 of the FISA report, it indicates that drafts of the Carter Page FISA application stated on October 14, 2016, Steele was responsible for the leaks that led to the September 23rd Yahoo News article. One draft specifically stated that Steele was acting on his/her own volition and had since been admonished by the FBI.

Did you have any responsibility in the drafting that, whatever the prior statement was in the FISA?

A. So I'll point your attention to the report again, the page where I believe OI said they included the Yahoo News article in the FISA. That's something I remember too as a case agent, because OI drafts the FISA application.

Q. But you --

A. Sorry. And the OI attorney couldn't recall how the footnote was put in there and that the OI, I believe, said he may have put it in there as a placeholder.

Q. Okay. I was just asking whether -- I understand the OI actually physically drafts it, but does take input or a lot of input from the FBI.

A. Right.

Q. All I'm asking you is whether you had any
input to OI in --

A. I don't recall that and I'll just point you back to that report where I believe the OI attorney said he thinks he may have put it in as a placeholder where he then asked us questions.

Q. Okay.

BY MR. BAKER:

Q. What was your relationship with the OI attorney? I sense a little bit -- you alluded earlier that there might be for another day, another forum suggestions to improve the process or whatnot. I thought you had a carveout of something that might be more appropriate for DOJ, and then I think we've heard today there were some things you sent that weren't put in.

Did you have a good working relationship with this attorney? Was it frustrating?

A. We had a very good working relationship. I liked him a great deal. I thought that we got along professionally. I think that we were open and honest with him with what we were doing.

He was receptive when I had calls or questions. I think they understood the import of this. I knew his boss as well over the years.

So I think we -- it's not cast in stone that
it's this individual. It was a good working
relationship.

MR. BAKER: Thank you.

BY MR. SOMERS:

Q. While you were working on Crossfire
Hurricane, did you ever learn that the DNC was the
ultimate client for the Steele Dossier?

A. I can't recall when I learned that. I
can't recall if it was from after the fact or not. This
is so engrained in, you know, various media reports. I
can't recall.

Q. Just one thing: I'll mention this to you
and maybe it will refresh your recollection. Maybe it
won't.

"[redacted] and the supervisory intel analyst told
OIG and email communications reflect that by no later
than January 11, 2017, [redacted] and the supervisory intel
analyst understood that Fusion GPS had been hired by the
DNC and another unidentified entity to research
Candidate Trump's ties to Russia."

MS. RIDI: What page is that?

MR. SOMERS: I don't have a page. I'm just
asking if it refreshes his recollection or not. I
mentioned that I don't know if it would.

THE WITNESS: I don't recall.
MR. SOMERS: I think it's on page 98. Sorry.

THE WITNESS: Yeah. So that's not a question.

BY MR. SOMERS:

Q. I asked if that helped --
   A. I don't recall.

Q. -- if you thought that in January of 2017 --
   A. I don't recall.

Q. The IG report indicates that on October 20, 2016 -- I've got to change the name back -- SSA 1 and Case Agent 1 signed the FISA verification form or Woods form affirming the verification documentation for each factual assertion in the application.

   You indicated in one of my first questions that you had read or review the Horowitz report. Looking back on the Horowitz report, do you stand by your signature on the October 20, 2016 Woods form?
   A. I do.

Q. Did you read the -- are you familiar with the 17 significant errors and omission that Horowitz identified?
   A. Yes.

Q. Do you agree that they were significant?
   A. Yes.

Q. Do you agree that there are errors and omissions? Let's start there.
A. I don't think there were any intentional omissions. I think that we acted in good faith with OI and provided any information requested or any information we thought for the investigation to move forward. Again, as I discussed, the OGA issue, we've discussed at length. The information about the transcripts between myself -- excuse me -- between the CHS and Carter Page was presented to OI. The email describing an individual was provided to OI.

There were a number of things provided and that just weren't either read or acted on, including the source statement whereby the OI attorney states that he -- there's no clear interpretation that he cooperating in criminal proceedings. He felt that this -- again, there is no clear definition of it. We said -- it could mean the spirit in using criminal proceedings. So nobody really understood that as a definition.

Again, we were as transparent as we possibly could be with OI during a dynamic fast-moving investigation.

Q. Do you think it's a problem with the FISA process?

A. As a --

Q. Between FBI -- I'm asking specifically
about the interaction between OI and the people working the case at the FBI?

A. I think this indicates there's a systematic problem.

Q. That's what I'm asking.

A. I think, as I spoke earlier, I think that the changes that are being implemented hopefully will resolve those issues. I think there are other things -- as I mentioned to Inspector General Horowitz when I met with him in December, there are other changes that could be made.

I am a GS-14 currently. I don't have a lot of say on how this is done.

Q. I understand.

A. Having to live through this and having had this affect me personally, things can be changed to make it better so that nobody is called in question again on issues like this.

BY MR. BAKER:

Q. I think you said during your round with the Minority --

MS. ZDEB: I'm sorry. Before you go on, you're now over by a bit at this point, but depending on how much longer you have overall, we may be fine with you just finishing up, but if you have --
MR. BAKER: I have just one quick question.

BY MR. BAKER:

Q. You said during the last round that institutional issues existed with FISA. Did you mean the actual process of so many moving parts, it would seem to me in the FISA process, or is it a cultural issue with people in the FBI?

A. No. I think it's institutional as far as a process. I think that we investigate. FISA is a useful and valuable tool for us to use. We take FISA as seriously as we do any other product, even more so because of the access it gives and what it means to us.

There are always ways to improve the process and, again, as I stated just before, you know, I'm not the -- I have been made the number one person for a failure of FISA. I'm not. If this leads to institutional changes that codifies things and makes things better for case agents, so be it and that's a good thing here; but I think that the changes that are being made are probably long overdue and probably much needed, as evidenced by me sitting here.

I think that we're better than we were a year ago for FISAs and with the errors and omissions, however you want to phrase what was found here, I think we're on a path to a better process.
MR. BAKER: Thank you.

MR. SOMERS: We can take a break now.

[Whereupon, at 3:40 p.m., a recess was taken, resuming at 3:50 p.m.]

MR. HASKELL: It's 3:50 p.m. and we're going back on.

FURTHER EXAMINATION BY THE MINORITY

BY MR. HASKELL:

Q. We talked quite a bit today about confidential human sources, and one of the individuals that the Crossfire Hurricane team used as a CHS was Source 2 that you had handled since 2011. Among the things that Source 2 did was he met with Carter Page in August 2016, and you told OIG that as a result of that meeting: "We now had a successful contact between the established FBI source and one of our targets, which gave the Crossfire Hurricane team confidence that they could find out investigatively what we'd been charged to do."

Is it fair to say that the purpose of your use of Source 2 and other CHSes on Crossfire Hurricane was either to corroborate or to dispel allegations that the Trump Campaign was involved in Russia's ongoing election interference effort?

A. Yes, and to get assessment information
out of those individuals.

Q. And the information that would allow you to either corroborate it or dispel it and close the case?

A. Yes.

Q. More broadly, have you found CHSes to be a valuable tool for corroborating or dispelling allegations during the course of your time with the FBI?

A. Yes.

Q. And is it fair to say that, in your experience, CHSes have played an important role in investigating national security threats?

A. Yes.

Q. I've always understood that sources and methods, including CHSes, are things that the FBI vigorously protect. Is that correct in your experience?

A. They're some of our most valuable asset.

Q. In general, why is it important for the FBI to protect its sources?

A. "A", for their for personal safety; "B", to protect the integrity of investigations and allows us to continue potential other operations in the use that CHS throughout the course of the CHS's working relationship with the FBI.

Q. You mentioned public safety and, in
general, what are the risks to the source of them not
being protected, their identity being disclosed?

A. Anywhere from death to harassment.

Q. And you worked on Russia issues for
years. Are those risks, the personal safety risks, to a
source amplified when Russia is involved?

A. Yes.

Q. Setting the public safety aside, does
exposing a source's identity impact the FBI's ability to
recruit other sources?

A. Absolutely.

Q. Can you elaborate a bit on that?

A. We tell the sources, typically, we'll do
our best to protect their identity, and I'll speak to
national security issues, not on the criminal side
because I'm not experienced and I can't speak to that;
but depending on that source, the source could be used
in various investigations.

They're invaluable to us on a national security
side. If their names and their identities or anything
that can identify becomes public, that puts not only
that individual's safety at risk, but ongoing and past FBI USITC operations at risk.

Q. And following on that, is it fair to say that it puts our national security at risk?

A. It absolutely does, yes. It would prevent us from recruiting other individuals who want to work with the FBI.

Q. We've discussed quite a bit today the EC documenting the interview with the primary subsource. That document was declassified, and shortly after it was posted on our committee's website, shortly after that, a blogger deduced and widely publicized that individual's identity. Are you aware of that?

A. I have heard of it.

Q. And do you recall that during the interview, and this is reflected in the EC, that: The primary subsource as recorded in the EC said unless his name goes public, he is fine when it comes to his source network. He doesn't believe he can travel -- redacted. He feels that he would be in danger and, as put it -- and then redacted again.

Would the risk, including the risk to public safety, including the risk of death that you mentioned, apply potentially to the revealing of the identity of the individual you believed to be the primary subsource?
A. The Russian Intelligence Service has shown that they will spare nothing to get back at individual who provide information about the Russian Government or the actions of the Russian Government. It wouldn't surprise me.

Yes. There is a potential for safety for the individual and the families.

Q. And in this case as well, not only the risk to the safety of the individual, but also the risk to our national security?

A. Yes.

BY MS. ZDEB:

Q. If I could just jump in with a couple of additional questions while we're still on the topic of sources and the primary subsource.

You just talked about risk to the safety of the source when their identity is exposed as well as the deterrent effect that will have on the ability to recruit sources in the future. Is there also a deterrent or a chilling effect if the source whose identity is exposed is still a current source for the Bureau?

In other words, does the exposure of that individual's identity make it less likely, perhaps, that that source would continue cooperating with the FBI?
A. It essentially would nullify that relationship. Yes.

Q. Turning back to the disinformation theory that our colleagues in the Majority were asking you about in the last round, and I'll again try to keep it at a pretty high level in generality, without getting into the specifics of the primary subsource or any other source, it seemed to me that Mr. Baker was somewhat conflating the concept of disinformation, on the other hand, and then on the other hand, the concept of someone having tied to or even being a member of a foreign intelligence service.

So to just put a finer point on this issue, does the fact that a source has ties to a foreign intelligence service or is, perhaps, even associated with a foreign intelligence service necessarily mean that everything that the FBI receives from the source is disinformation?

A. No. Some of your best sources are some of those individuals.

Q. And so I would imagine, as I think you indicated in response to one of Mr. Haskell's questions earlier, there certainly could be a risk of disinformation and that is why or that is one reason why, in your words, the role of the FBI is to vet
information from the source; is that correct?

A. That's correct, yes.

Q. But the mere fact that someone had ties to a foreign intelligence service or is even associated or a member of a foreign intelligence service, that standing alone does not disqualify that person from being a source of the FBI?

A. No.

Q. And, in fact, as you said previously, the FBI recruits and pays members of foreign intelligence services and, as you indicated just a moment ago, those can be some of the Bureau's best sources; is that correct?

A. That's correct.

MS. ZDEB: Thank you.

BY MR. HASKELL:

Q. Mr. Somers mentioned earlier in the interview a statement that George Papadopolous had made that, you know, certain actions would be illegal and denying participation in them. I know that you didn't do much work on the Papadopolous case. I have just a few questions that you may able to answer about it.

You told the IG -- I think this is page 332 of the IG report -- that the Crossfire Hurricane team's assessment was that Papadopolous's denial and, to be
more specific there, he denied that anyone in the Trump
Campaign was collaborating with Russia or outside groups
like WikiLeaks or had any involvement in the DNC's email
hack, and you explained that the team -- that the
Crossfire Hurricane's team assessment was that
Papadopolous' denial to the CHS was a rehearsed
response. You also explained the team discussed for
several days whether Papadopolous had, quote, been
coached by a legal team to deny any involvement.

Was it important for the FBI to assess whether
Papadopolous had been coached by a legal team and, if
so, why would that be important?

A. Give me one second.

MR. HASKELL: Take your time.

[Witness peruses document and confers with Ms.
Argentieri.]

THE WITNESS: Could you just repeat that?

BY MR. HASKELL:

Q. Yes, of course.

Was it important for the FBI to assess whether
Papadopolous, quote, had been coached by a legal team
and, if so, why would that be important, to determine
whether or not he had been coached to respond to those
questions with those denials?

A. We were evaluating his credibility and
want to see if he was being honest.

Q. So determining if he was giving a reversed response and dishonesty?

A. Yeah.

Q. Understood. And do you recall whether the Crossfire Hurricane team ever came to a conclusion one way or another about whether those were rehearsed responses?

A. No. I don't recall specifically.

I'm sorry. Could you just repeat that? I want to make sure I answer your question. I'm trying to listen to read and listen at the same time. I shouldn't do that.

Q. Of course. Do you recall -- you had talked about how the team discussed the issue for several days, that it was a topic of conversation. Do you recall whether the team or you, personally, ever came to a firm belief as to whether or not that was a coached response or he was being honest?

A. I think we -- I personally thought it was a coached statement because the way -- as I mentioned in this report, that it was -- what is not reflected in the transcript is the change in tenor and the way he -- as I state here, from a free-flowing conversation to what I thought was a -- I can't say how I want to phrase it.
It just stood out to myself and I think -- I don't want to speak for the team.

Q. There's been some claims that because Papadopolous denied the campaign's participation in these things, you know, that should have had a significant bearing on the direction of the investigation, which is why it's important to understand how the FBI interpreted those statements at the time.

More generally, in your experience as an agent, do those who have engaged in criminal conduct sometimes deny that they engage in criminal conduct?

A. Yes, especially the first time we're meeting with a source. This was the first time Papadopolous was meeting with agents. They don't necessarily admit to criminal activity.

Q. And, in your experience and your opinion, should the FBI stop an investigation because a target denies having committed a crime?

A. No. We wouldn't have many cases to investigate.

Q. In an October of 2016 conversation with the CHS, Papadopolous said that he did not think Russia was playing with the election or had any interest in it. So Papadopolous said he did not think Russia playing with the election or had any interest in it.
A. What page is that? Sorry.

Q. I believe it's around 332, but I apologize. I do not have that.

A. Okay. I think I --

Q. I'm happy to repeat it.

A. Is this related to Source No. 3?

Q. I believe so, and I'm happy to repeat the language. I promise, it's a verbatim quote. I'll try to get the page number.

A. Okay.

Q. So Papadopolous said this months after it had been widely reported that Russia hacked the DNC and the Clinton Campaign and was behind WikiLeaks' release emails damaging the Clintons. Would that statement at that time, that Russia had no interest in the election, undermine Papadopolous' credibility and potentially the trustworthiness of his denials, his earlier denials?

A. Would it undermine his credibility?

Q. Would the statement that Russia had no interest in the election months after it was widely known that Russia hacked the DNC and the Clinton Campaign and was behind WikiLeaks' release of emails, would that statement undermine his credibility?

A. Yes.

Q. The FBI didn't learn until July 2016 that
Papadopolous had told a foreign government official about Russia's offer to help the Trump Campaign by releasing hacked email on the Clintons. That was the FFG report that came in late July that I know you're familiar with, but Papadopolous had learned about Russia offer sometime around or before April 2016. That's when he had the conversation with the FFG official.

To your knowledge, did Papadopolous report Russia's apparent offer of election assistance to the FBI when he learned of it in April, in or before April 2016?

A. Not to my knowledge, no.

Q. And did he come forward to the FBI in July 2016 when WikiLeaks began doing what Papadopolous had been told the Russian Government was going to do, release thousands of emails of Candidate Hillary Clinton?

A. Not to my knowledge.

Q. And to your knowledge, did Papadopolous ever, at any point, come forward to proactively report what he had been told about Russia's willingness to help the Trump Campaign?

A. No.

Q. Would that sequence of events we just went over also undermine his credibility?
A. Yes.

Q. We spoke about the dangers of publicly identifying confidential human sources. It strikes me that there are also harms to disclosing the identity of FBI agents, and your name, unfortunately, as you know, has been out there in the public in connection with the matters this investigation is continuing to focus on.

What have the effects of that been on you?

A. I have had people post my home address on Twitter. I have had people put nooses next to my name on Twitter. I have had people try and scour the internet to look for photos of myself to put on line.

As of yet, I have had no physical threat to myself or my safety; however, given the current environment, I am currently constantly aware of my surroundings and looking out for potential threats to myself, the safety of my family. I had to take the -- something as simple as I had to take my name off the mailbox of my apartment in Brooklyn for fear that somebody came to my home and identify me. That's just publicly.

Professionally -- well, publicly also -- I have been described as incompetent. I have been described in numerous ways, which is contrary to how I've conducted myself as an FBI agent for almost 16 years.
Professionally, I was removed from my squad and I was given a new assignment. I have had things said about me internally on FBI systems, which I've had to have them taken down where they have identified other sources that I work with.

It's been a difficult nine, ten months.

Q. I'm sorry, and I'm especially sorry given your many years of service to this country, trying to maintain our national security. Nothing like that should happen to anyone, let alone someone in your position.

It strikes that, in addition to having an effect on you, it also can potentially have effects on the FBI morale generally or recruiting of new FBI agents. Am I correct there?

A. I think there's a chilling effect to, "A", recruit new agents to work with the FBI and for other government agencies. I think it also hurts the FBI in the event that a case like this happens again. Nobody is going to want to work this case, because they've seen what's happened to me and it's not a secret what's happened to me within the FBI.

I don't know why I was asked to work this investigation, but in the future, if an investigation like this ever occurs again, you're not going to get the
best people of the FBI volunteering to do this work
because of what they're seeing happen to me. It's a
chilling effect for the work we do. There's a chilling
effect for, most likely, the number of FISAs that are
being sought, and it continues down the line.

I think it hurts us as an organization and,
thereby, hurts the national security of the United
States. I'm a small cog in this and I recognize that,
but it's easy to dismiss a small cog and it's -- but I
feel the weight of all of this on my shoulders, because
it's cast the FBI in a bad light. That's not the way
our organization is. Our organization does the best we
possibly can given the circumstances.

We're asked to work difficult cases. We're
asked to make sacrifices and we do that and there are
repercussions, obviously, in doing that, but some of
added repercussions because of this, because of the
nature of this investigation, some of these
investigations, I think it hurts the agency as a whole.

MR. HASKELL: Thank you.

That's all.

MR. SOMERS: I have a little more. Do you want
to take a break?

THE WITNESS: I'm fine.

MR. SOMERS: Hopefully we can get through this
and be done for the day. I'll note the time is 4:13.

FURTHER EXAMINATION BY THE MAJORITY

BY MR. SOMERS:

Q. You know the source, the person who has been identified as Source 2 in the OI FISA report? Do you know who that person is?

A. I do, yes.

Q. Were you Source 2's handler?

A. I was, yes.

Q. The OIG FISA report notes on page 313 that Source 2 was closed by the FBI in 2011 for aggressiveness towards handling agents as a result of what Source 2 perceived as a -- conversation and questionable allegiance to intelligence targets. Did you experience any problems with Source 2?

It says you handled him from -- sorry -- 2011 through 2016. Did you have any issues with Source 2?

A. I did not.

Q. Do you have any explanation why the demeanor changed from other handlers?

A. Yes. I made a determination that he would be an individual who might be able to help further advance counterintelligence investigations. I reached out to one of his original handling agents who had retired -- he was a contractor at the time -- and an
intelligence analyst who I had worked with over the years who knew the source for a number of years.

We met with the source and we were honest with him and we told him -- sorry. We told the source that, essentially, this was the source's last opportunity to work with the FBI given the issues this person had in the past, and at the time, I relied some of the senior people I had brought with me.

Through that time, I developed a source-handler relationship with that source over the years, and, for whatever reason, you know, there's an art to source-handler relationships. Sometimes it's just a personality conflict. We just didn't have any personality conflicts.

Q. I notice here that it says the -- this is also on 313 -- the FBI conducted a human source validation reviews on Source 2 in 2011, 2013, and 2017. Were you aware they conducted those validation reviews?

A. Yes.

Q. Did you look for human source validation reviews of Christopher Steele during the time you were on Crossfire Hurricane?

A. Christopher Steele was not my source.

Q. I was asking did you check the files to see if there were any?
A. I know case agents -- handling agents had access to the sources' files. Again, I did not have access to our --

Q. Delta?

A. Yeah. Delta, our source handling system. I do not have access to the file.

Q. Did you ask the handling agent for his human source validation file?

A. Not that I recall, no.

Q. Do you recall if anyone on the team asked for it?

A. I don't know.

Q. Would it surprise you if there were not human source validation reports in the Delta system for Steele?

A. Not necessarily.

Q. Do you know why your source was validated three times during that --

A. So now we're talking about my source? We're switching back to mine?

Q. Yeah. We're switching back to your source, Source 2.

A. I don't know if I can answer that in this setting.

Q. Is it standard or no?
A. I don't know if I answer the setting.

Q. Did anyone on the Crossfire Hurricane team know you were Source 2's handler before you joined the investigation?

A. Yes.

Q. Who?

A. The SOS, I believe SSA 1.

Q. Do you think that played any part in your being asked to join Crossfire Hurricane team?

A. No.

Q. Eventually, you --

A. I don't know, but I don't believe so.

Q. Eventually, Source 2, I think it's fair to say, was tasked with operations involving Page, Papadopolous in order to gather information. Why did you go to Source 2 in particular?

He also talked to another high-level unnamed Trump Campaign official. Why did you go to Source 2 for these tasks?

A. I know given the sensitivity of the source and this unclassified setting, the source was an individual who was very familiar with the machinations of a political campaign and political workings, that the source was based in the United States. I initially went to the CHS with -- just to talk about generalities.
What's misrepresented in the IG report is I didn't know what a foreign policy advisor. I do know what that is. I just wanted to understand the role of a foreign policy advisor as it relates to a campaign.

We sat down with that source just given his expertise, for lack of a better word, in this realm. Through the course of our first meeting, we found out he had met Carter Page earlier in July. I was unaware of who Carter Page was prior to this investigation, as we were initially tasked with seeing if he knew anything about Papadopolous, but he brought up Carter Page's name to us.

We weren't clear to discuss with the source if Carter Page was, you know, somebody we could talk to about. So that was the first meeting. I believe it was within a few days of starting that investigation.

Q. Did you bring up Manafort with him or did he raise that?

A. I think he -- I can't get to far in the weeds, even though he's --

Q. Yeah.

A. -- been outed. Given his professional experiences, I had heard of him.

Q. I'm just asking whether he said I know Paul Manafort.
A. Well, his name has come up just over the
years, just because given the source, but as far as --

Q. You knew he knew Paul Manafort?
A. I don't think I knew it. I'm sorry. Let me step back.

He may have mentioned it. I may not have known
who it was.

I don't recall if he brought up Manafort's name
or we brought it up to him. We had to get cleared to
bring up any names to the source. That is per normal.

Q. But you brought up George Papadopolous?
A. I did and we were approved to do that.

Q. So what I'm trying to understand the
sequence of the events here.
A. Sure.

Q. So let's just back up to the sequence of
events.

You bring up George Papadopolous. He said I
don't know George Papadopolous, and he offers, then,
that I know Carter Page; did you have any interest in
him. So.

I'm asking -- that seems clear on the report,
but what is not clear is whether -- it says Source 2 had
known Trump's then campaign manager, Manafort, for a
number of years and he was previously acquainted with
Michael Flynn. I guess I'm just asking whether you all raised Manafort.

I'm going to then ask the same question about Flynn.

A. Sure. So I think as it relates to Manafort, I think Manafort just came up because he was the campaign -- he was running the campaign for Trump at the time. I think he said I've known him, and he gave some details on how he knew him. So's that how.

Q. Same thing with Flynn?

A. So Flynn has come up, had come up, with the source in the past. He had -- he met Flynn at a professional event and he called me about an individual who he thought was suspicious to kind of be in front of.

Q. Was it relevant to the investigation?

A. This was prior.

Q. I'm just asking --

A. I know. It gets confusing.

Aside from that, that was the only -- I had a conversation with about that. That was probably circa the 2012 or 2013 timeframe, roughly. Then I didn't hear Flynn until we spoke to him, but he just he knew the circle of individuals as we had that discussion the first time with him of who was in the campaign's orbit as foreign policy advisors.
BY MR. BAKER:

Q. Was Source 2 someone you cultivated or someone you inherited?

A. Well, he was closed for cause. He didn't have contact with the FBI, and then I reached out to him through -- for lack of a better term, we cultivated him, if you will.

MR. BAKER: Okay.

BY MR. SOMERS:

Q. Now, I think there's been -- there's a discussion in the IG report about him joining the Trump Campaign and him not doing that. Did he have some sort of informal role with the Trump Campaign?

A. No. I believe, if I recall correctly, Carter Page was trying to get him to join the campaign, which we advised he could what we wanted, but that was not our intent and we're not tasking him to join the campaign at our behest.

Q. Did he tell you why he didn't want to join the campaign?

A. His age, various other factors.

Q. What was his opinion about Trump?

A. I don't know. I think he was -- I can't recall a specific discussion. So I don't want to --

Q. That's fine.
Do you know how he was able to get the meeting with the high-level campaign official? Was that official trying to recruit him to the campaign?

A. Carter Page was trying to arrange a meeting between him and that individual. He had been trying, and it was -- I think he gave me the email address at one point of that individual. I forget how that actually transpired, but we sought the proper approvals with FBI Headquarters.

Q. Did the high-level campaign official think that the meeting was about Source 2 joining the campaign?

A. I can't recall the specifics for that, the reason, how they tabled that meeting.

Q. That meeting, it says here on page 327 of the IG report: "Case Agent 1 told the OIG that the plans for this meeting was for Source 2 to ask the high-level campaign official about Papadopolous and Carter Page because they were unknowns and the Crossfire Hurricane team was trying to find out how these two individuals, who are not known in political circles, got introduced to the campaign, including whether the person responsible for those introductions had ties to the Russian Intelligence Services."

Do you learn anything about how these two
individuals that were not known in political circles got introduced to the campaign?

A. From -- can you just repeat it without reading -- I see what you're reading, but what's the actual question?

Q. I'm saying, apparently, the purpose of sending Source 2 to meet with the high-level campaign official was to, in part at least, answer the question of how these two individuals who were not known in political circles got introduced to the campaign, including whether it was by RIS, and I guess my question is did you learn anything about how either Page or Papadopolous -- I think the word you used were "got introduced to him"?

A. No. We didn't receive anything that was -- I don't recall receiving anything that was related to the investigation.

Q. Do you recall if the operations described in part on page -- I think you discussed it a little bit the last round -- on page 329: "Case Agent 1 said that by taking Papadopolous to another country, Papadopolous might feel a little freer to talk outside the confines of the United States and repeat that conversation he had with the FFG officials."

But then I believe in the last round, you said
that, basically, his response seemed like a canned response. I'm trying to -- it seems like you went through a plan that had some costs to it in order to get Papadopolous overseas to be comfortable and, yet, your reaction to his comment that this would be illegal seemed like a canned response. So are you saying that the plan didn't work to get him overseas and have him be comfortable?

A. Did the plan not work?

Q. Yeah, since you discounted his answer.

[Witness confers with counsel.]

THE WITNESS: I would say he just didn't restate the comment he made to the FFG.

BY MR. SOMERS:

Q. But you put him in a situation where he was supposed to be comfortable and, yet, you discounted his comment that this would be illegal. I'm trying to -- what I'm getting at is I'm still trying to get back to all this multiple pieces of exculpatory information and I'm trying to understand how it didn't make into the FISA, and so I'm trying to understand.

You've represented confidential human sources' conversations are considered valuable, correct, to the FBI?

A. They are. You have to take many factors
into consideration during that source work as well.

Q. In this particular one, at the United States' Government expense, you sent Papadopolous overseas to meet with Source No. 2?

A. Well, I don't understand what the point of government expense is. The FBI has expenses, operational expenses, in furtherance of investigations.

Q. I'm saying you set the circumstances for this.

A. Which that's something the community does a whole across the board.

Q. I'm not questioning the expense. I'm questioning the fact that you set the circumstances for a meeting that you thought that he would feel a little freer to talk outside of the confines of the United States. Then you get your derogatory or exculpatory information from George Papadopolous and then you discount the information.

I'm trying to understand why you discounted the information in that context.

A. As I stated earlier, I thought and the team thought it was a caned response to a conversation Papadopolous was having the first time with an individual he had just met.

Q. So of the exculpatory information, what
I'll characterize as exculpatory information -- I'm just going to characterize it that way, but it appears that Horowitz mentioned it in his report. He says it didn't make it into the FISA. They identified the fact that Carter Page worked for the intelligence. That didn't make it in the FISA. He didn't know Manafort. That conversation was -- and that Manafort wouldn't even return his email. That doesn't make it in.

He doesn't know Sechin or Diveykin, wasn't involved in the RNC platform change. Papadopolous denied his involvement with taking information from Russia, which was a predicate for the whole investigation.

How does none of that make it into the FISA application?

A. So if you go one by one, can I address each one?

Q. Sure. You can address each, but, also, if you can -- you don't to -- can you give me a global response at the end?

A. So without going one by one, as I mentioned earlier, Page had worked with OGA was offered to the Office of Intelligence at DOJ. They denial of knowing the meeting with Sechin and Diveykin, that transcript was provided to the Office of Intelligence.
Q. The entire transcript or the --
A. The entire transcript, if I recall correctly, was provided to the Office of Intelligence.
Q. Are you positive?
A. That's stated in the IG report. It's started in the March 5th ruling from the FISC report, saying that they had access to it.

Papadopolous denials was, as I had mentioned, something we discussed amongst the team and we shared as needed.

What are the other ones?
Q. The RNC platform change.
A. The RNC platform change occurred, if I recall correctly, during an interview of Page.
Q. The RNC platform change, I believe so.
A. I was no longer the case agent in the investigation at that point.
Q. I don't have the page.
A. We also included in the FISA a letter written to Director Comey whereby Carter Page denied knowing Sechin and Diveykin to have any ties to Russian Intelligence Service and the offer to take a polygraph examination. We also included the "Washington Post" article where he was interviewed and denied knowing anybody associated with Russian or the Government
Russian. We also included the September 23rd news article -- "we", being myself, OI, the U.S. Government to the court the September 23rd Yahoo News article whereby Page denied knowing Sechin and Diveykin.

To your point of exculpatory information, we did provide into the FISA quite a bit of exculpatory information.

Q. You mentioned a letter Page sent to Director Comey. Why did not take Page up on his offer for an interview, at least?

A. That was not my decision to make.

Q. Okay.

BY MR. BAKER:

Q. Did anybody affirmatively make the decision not to pursue that?

A. We used it as the first approach for him in March. I don't know why the decision. It was above my pay grade.

Q. Do you know who made the decision?

A. I don't recall. No.

Q. Do you remember Mr. Strzok expressing any concerns that CHSes were being used too much and that they were going to get burned or cause suspicion?

A. I know there was concern about using CHSes too, too much, but I think we allayed any concerns
he had.

Q. That was not a big source of contention?

A. There is -- there may have been some discussions. If we go back to the earlier sessions, the frustrations, I think that he was overseeing the investigation. I think that he wanted to avoid supposition, maybe tunnel vision of using the same source for multiple, but we were able to justify that it was a logical step in the investigation to use the source.

Q. And you were allowed to proceed with that --

A. Yes.

Q. -- course of action?

A. Yes.

MR. BAKER: Yes.

BY MR. SOMERS:

Q. Is FISA an important tool for the FBI?

A. FISA is one of the most important tools we have FBI.

Q. Would it hurt national security if we lost -- the national security of the United States if we lost FISA?

A. Immeasurably, yes.

Q. Would it hurt the country as a whole?
A. Yes, it would.

Q. So you talked about the chilling effect that lot of this has had on recruitment to the FBI and how that can hurt national security of the United States, hurt the FBI; but, conversely, you would agree that losing FISA would also hurt the FBI, hurt the national security of the United States, and hurt the country as a whole?

A. Yes, sir.

Q. You also were asked about derogatory statements made by Carter Page -- I'm sorry -- George Papadopolous. You said they undermined his credibility in the last round.

Text messages criticizing Candidate Trump, do they undermine the credibility of Peter Strzok?

A. That's not for me to answer.

Q. But you can answer if it undermines Papadopolous' credibility?

A. I don't think I understand the question.

Q. In the last round, you said that certain statements made by George Papadopolous undermined his credibility. I'm asking you if text messages regarding Candidate Trump would undermine the credibility of the deputy assistant director overseeing the Crossfire Hurricane investigation.
A. I saw no evidence of any bias from D.A. Strzok during the course of the investigation.

Q. Do those text messages cast the FBI in a bad light?

A. That's not for me to say.

Q. But our investigation, you can say casts the FBI in a bad light?

A. I'm sorry?

Q. But you were able to say that our investigation of this casts the FBI in a bad light?

MR. HEISS: When did he say that?

THE WITNESS: I never said that. I said that -- I never said our investigation cast the FBI in a bad light. I said purported actions, I think, that were attributed to me in IG report cast the Bureau in a bad light.

BY MR. SOMERS:

Q. You said the IG report? I'm not following. I'm sorry. I thought you were saying the investigation --

A. The investigation, the Crossfire Hurricane investigation, did not cast the FBI in a bad light.

Q. The Horowitz report casts the FBI in a bad light?
A. Casted me in a bad light or, in turn, it casted the FBI in a bad light, because they -- sorry.

Q. And you can answer that question because it relates to you. You can't answer my question about Peter Strzok because it doesn't relate to you? I'm trying to understand the difference.

MS. ARGENTIERI: I think he asked and answered this question. He said it's not for him to say.

MR. SOMERS: He'll answer one question, but not the other.

Do you have anything else?

BY MR. SOMERS:

Q. I have one more. I think we covered this very early on, but can you just confirm that in December and January, December of 2016 and January of 2017, that you did work on the investigation of Michael Flynn?

A. I was not a case agent on Michael Flynn. I was aware of the investigation of Michael Flynn.

Q. But you were just aware of it; you didn't do any actual work on the investigation?

A. I recall an email that was talking about closing the case, an email I received from Peter Strzok saying I closed the case. That's all I can recall.

Q. You were cc'd on the email, but it wasn't you -- you had responsibility for closing the case; you
could not --

A. I can't confirm the answer to that. I forget my actual role, but I remember getting an email about it.

Q. You did not have authority to close the case?

A. Sorry?

Q. You did not have the authority to close General Flynn's case?

A. Case agents do ask for the closure of cases, but they have to be approved.

Q. I'm saying, for the record, you were not the agent that drafted that closing memo.

A. I don't recall.

Q. I'm saying you were not.

A. Okay. I'm sorry. It's been a long day.

MR. SOMERS: I was just putting that on the record.

THE WITNESS: Thank you.

MR. BAKER: I guess I would just put on the record that it's not the intention of the Senate Judiciary Committee to cause hardship on anybody that we interview or any investigation that we conduct. It's actually to the contrary.

We have oversight responsibility not only to
find out what happened in this particular case, but to -- and you've sort of alluded to this -- to make changes where changes need to be made in the process. It's a different process, a lot of moving pieces, and that's certainly something that the Senate Judiciary Committee wants to make sure that the FBI has a tool, the FISA process, and we do whatever we can do to do that.

Personally, I have a very long association with the FBI and an even longer admiration for the FBI, and I know this is, certainly, one slice of your career and I commend and salute you for your service and other things you've done for the Bureau and all the men and women that have served. Today is actually the anniversary of the passing of a very well-known FBI counterintelligence agent. Steve Carr succumbed to complications from his leukemia diagnosis for responding to the Pentagon when the 9-11 attacks occurred.

I just want to underscore the committee as a whole and me, personally, are motivated only to make the FBI better and the FBI stronger, and I salute you for what you've done in your career and I salute you for -- you've alluded a couple of times today to having some suggestions to improve the process. I hope that Director Wray gives you an opportunity and any of the
agents that have or analysts that have some suggestions
to make in the process, I hope you're given, afforded,
the opportunity to express those so they can be debated
and implemented where appropriate.

So thank you for coming out today.

THE WITNESS: Thank you.

MR. SOMERS: Yes. I didn't mean to minimize in
any of my questions what you've been through. That's
unfortunate. We did at one point have your name in a
subpoena authorization because, legally, we had to. We
didn't identify who you were. Unfortunately, your name
has gone out in the press.

I don't think -- and all the other things you
mentioned that have happened to you in and outside of
the Bureau, that's unfortunate.

I don't think we have any further questions. I
don't know if the Minority has anything to follow up on.

I would just note we did get that document
yesterday at around 12:30 that refers to a May 2009
investigation being opened into the primary subsource.
I understand you're not prepared to answer any questions
about that today. I haven't looked at any of the
documents that back this up. You're the first person
that's been in here since we've gotten the document.

I would just say as you're not able to answer
any questions on it, there is a chance that we would have to, on that limited subject, bring you back because you can't answer any questions today. I don't know.

As I said, we haven't investigated it either. That may not be something we need to do, but sitting here today, I do think it's possible, depending on where this goes; but because you can't answer any questions about it today, we may have to bring you back for that limited purpose.

I think the Minority has a few more.

MR. HASKELL: Following up on what Mr. Baker said, we just want to put on the record that Senator Feinstein and I think I can say every member of the -- every Democratic member of the Judiciary Committee would welcome a FISA reform investigation, but Chairman Graham has explicitly said in a public hearing of this committee that this is not a FISA reform investigation, and it's important that we are honest on the record about what we are doing.

MS. ZDEB: If I could just add, thank you for being here. This has been a long day. We appreciate your cooperation.

If I could also add for the record, because you indicated earlier that you are a GS-14, we would like to acknowledge that your presence here is somewhat
extraordinary, because as we understand it, it is a longstanding policy and practice of the Department and the Bureau to not make available personnel who are below the SES level. For that reason in particular, we are appreciative of the time you have given in connection with this investigation.

Now, of course, we certainly want the Bureau and the Department to cooperate with legitimate congressional oversight requests. So I don't intend in any way to minimize that, but I do think it's notable the very fact of this interview and other interviews that have been conducted to date mark such a significant departure from what the Department's typical practice is in these sorts of investigations.

It is also notable that the Department at the highest levels continue to selectively declassify and produce documents in connection with the Chairman's investigation in apparent concert with investigative steps that this committee has taken.

So Mr. Somers alluded to the production of the document yesterday. It is not lost on us that that document was declassified and produced to this committee a day before you came in for this interview. So those are certainly not, you know, issues that we take with you. What I want to convey to you is thank
you for being here, but I did want to put those observations on the record before we concluded for today.

MR. SOMERS: Given those observations, I don't want to get into a tit-for-tat here all afternoon, but I don't control, Chairman Graham does not control when the Department or the FBI choose to provide us with documents. We've been requesting documents from the Department since -- I think our first letter went out in March of 2019. We've gotten very little document production in this investigation, much less document production than I've gotten in any congressional investigation that I have conducted in my career on Capitol Hill.

Further, I can't keep up with every statement my boss has made about his intent for this investigation. I can only say that I've been in hearings, hours' worth of meetings with him. He is not -- he is doing this investigation because, and he's expressed it several times, he is afraid that what happened in Crossfire Hurricane threatens the very existence of FISA, and Chairman Graham is a huge proponent of FISA and is having us conduct this investigation because he believes that if we don't get to the bottom of this, if reforms are not made, that when FISA comes up or aspects of FISA
come up for reauthorization, they will not be reauthorized.

He's made statements that can be taken to be contrary to that. That is not my understanding, having sat through hearings, more meetings with him than I can even recall about this. His goal is to save FISA.

I thank the witness for appearing today. I thank him for appearing voluntarily. Sorry that we kept you here for most of the day, but I do thank you.

MR. SOMERS: Mr. Somers, one thing for the record: This is the second non-SES employee that the FBI HAS provided for the committee's investigation. This witness has particularly expressed concerns for himself and that of his family. We would request that any release of information by the committee, to include transcripts, would redact the names of those witnesses and seek to protect their identities.

MR. SOMERS: We have no intention of releasing name in the transcript or otherwise.

THANK YOU: Thank you.

[Whereupon, at 4:46 p.m., the interview concluded.]