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

INTERVIEW OF DEPUTY CHIEF,
COUNTERINTELLIGENCE AND
EXPORT CONTROL SECTION,
JUSTICE DEPARTMENT

FRIDAY, SEPTEMBER 18, 2020

The interview was convened, pursuant to notice, at
10:06 a.m., in Room SD-266, Dirksen Senate Office Building,
Washington, D.C.

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P R O C E E D I N G S

(10:05 a.m.)

1
2
3 Mr. Somers. I guess we can go ahead and try and get
4 started. Are you ready? Okay. And we'll try and do this
5 the best -- as best we can, and if there's any problems,
6 obviously we'll -- I guess we'll know when we don't get
7 answers to our questions because no one can hear us. Let's
8 go on the record now.

9 This is a transcribed interview of [REDACTED].
10 Chairman Graham requested this interview as part of an
11 investigation by the Senate Judiciary Committee into
12 matters related to the Justice Department's and the Federal
13 Bureau of investigation's handling of the Crossfire
14 Hurricane investigation, including the applications for and
15 renewals of a Foreign Intelligence Surveillance Act warrant
16 on Carter Page. Would the witness please state his name
17 and the last position he held at the Justice Department for
18 the record?

19 [REDACTED]. [REDACTED], deputy chief of the
20 Counterintelligence and Export Control Section at DOJ.

21 Mr. Somers. Thank you. On behalf of Chairman Graham,
22 I want to thank you for appearing today, and we appreciate
23 your willingness to appear voluntarily. And I will just
24 note for the record that you are appearing by Webex, so
25 you're appearing remotely and are not in the room with us,

1 and hopefully we can -- we can make that all work. My name
2 is Zachary Somers. I'm the majority chief investigative
3 counsel for the Judiciary Committee. I would like to ask
4 just for the record for everyone else who's here in the
5 room with me to put their names on the record, and then
6 we'll get to those that are appearing by -- remotely. So,
7 Art, if you want to --

8 Mr. Baker. Arthur Baker, senior investigative counsel
9 for the majority staff of Senator Lindsey Graham, chairman.

10 Mr. Findlay. Patrick Findlay, general counsel of the
11 National Security Division for the Department of Justice.

12 [REDACTED]. [REDACTED], the Office of Legislative
13 Affairs, Department of Justice.

14 [REDACTED]. [REDACTED], senior counsel, Office of
15 Legislative Affairs, Department of Justice.

16 Mr. Charlet. Joe Charlet, counsel for the minority,
17 Ranking Member Feinstein.

18 Ms. Zdeb. Sara Zdeb, senior counsel for the minority,
19 Ranking Member Feinstein.

20 Mr. Somers. And, Heather, are you -- are you still
21 able to hear us? Do you want to put your name on the
22 record?

23 Ms. Sawyer. Sure, yes. Heather Sawyer with Ranking
24 Member Feinstein's Judiciary team.

25 Mr. Somers. And, Mr. Poe, are you able -- I just want

1 to make sure you're able to hear us.

2 Mr. Poe. Yes, sir, Mr. Somers. Thank you. Greg Poe.
3 I'm counsel for [REDACTED]. There were a couple things
4 I wanted to mention at whatever time you deem appropriate,
5 maybe before we begin.

6 Mr. Somers. Yeah, I'll let you do that when I'm done
7 with my preamble.

8 Mr. Poe. Very good.

9 Mr. Somers. Got a little bit -- a little bit more to
10 read here into the record. Okay. The Federal Rules of
11 Civil Procedure do not apply in this setting, but there are
12 some guidelines that we follow that I'd like to go over.
13 Our questioning will proceed in rounds. The majority will
14 ask questions first for an hour, and then the minority will
15 have an opportunity to ask questions for an equal period of
16 time. We will go back and forth in this manner until there
17 are no more questions and the interview is over.
18 Typically, we take a short break at the end of each hour of
19 questioning, but if you need a break apart from that, [REDACTED]
20 [REDACTED], or if you need to consult with your attorney in this
21 remote setting, however we're going to make that work,
22 please let us know.

23 As I noted earlier, you are appearing today
24 voluntarily. Accordingly, we anticipate that our questions
25 will receive complete responses. To the extent that you

1 decline to answer our questions or if counsel instructs you
2 not to answer, we will consider whether a subpoena is
3 necessary. As you probably cannot see because I didn't
4 edit this for Webex, but there is an official reporter here
5 in the room with us, in the hearing room, taking down
6 everything that is said in order to make a written record
7 of today's proceedings. So we're going to ask that
8 obviously you give verbal responses to all the questions we
9 ask you, [REDACTED] Do you understand that?

10 [REDACTED] I do.

11 Mr. Somers. So that the reporter can take down a
12 clear record, it is important that we don't talk over one
13 another or interrupt each other if we can help it. The
14 committee encourages witnesses who appear for transcribed
15 interviews to freely consult with counsel if they so
16 choose, and you're appearing today with counsel, Mr. Poe,
17 who already introduced himself for the record. We want you
18 to answer our questions in the most complete and truthful
19 manner possible, so we will take our time. If you don't --
20 if you have any questions or if you don't understand one of
21 our questions, please let us know. If you honestly don't
22 know the answer to a question or do not remember it, it is
23 best not to guess. Please give us your best recollection,
24 and it is okay to tell us if you learned the information
25 from someone else. If there are things you don't know or

1 can't remember, please let us know and inform us who, to
2 the best of your knowledge, might be able to provide a more
3 complete response to our question. You should also
4 understand that although this interview is not under oath,
5 you are required to -- by law to answer questions from
6 Congress truthfully. Do you understand this?

7 [REDACTED] Yes.

8 Mr. Somers. This also applies to questions posed by
9 congressional staff in an interview. Do you understand
10 this?

11 [REDACTED] Yes.

12 Mr. Somers. Witnesses who knowingly provide false
13 testimony could be subject to criminal prosecution for
14 perjury or for making false statements. Do you understand
15 this?

16 [No response.]

17 [Audio malfunction in the interview room.]

18 Mr. Somers. Did we lose [REDACTED]? I just wanted
19 confirmation that you understand that knowingly providing
20 false testimony or false statements to the committee could
21 subject you to criminal prosecution for perjury or for
22 making false statements. Do you understand this?

23 [No response.]

24 [Audio malfunction in the interview room.]

25 Mr. Somers. I think one more time the record.

1 [No response.]

2 [Audio malfunction in the interview room.]

3 Mr. Somers. I think you're on mute.

4 VOICE: I think you're on mute.

5 Court Reporter: Okay. We're getting a loopy sound.

6 [Brief pause.]

7 [Audio malfunction in the interview room.]

8 [REDACTED] Hello?

9 Court Reporter: There we go.

10 Ms. Sawyer. Hey. Can you guys hear me, because I can
11 hear [REDACTED] perfectly fine.

12 Mr. Somers. No, we're -- I think we now can hear [REDACTED]
13 [REDACTED].

14 Ms. Sawyer. Okay. Great.

15 [REDACTED] Okay. I heard your question. I tried to
16 answer "yes," but if you want to ask it again, I
17 understand.

18 Mr. Somers. Just as long as you understand that
19 making false statements could subject you to criminal
20 prosecution. Is that a "yes?" Is that what you responded?

21 [REDACTED] That's a "yes."

22 Mr. Somers. Okay. Is there any reason you're unable
23 to provide truthful answers to today's questions?

24 [REDACTED] No.

25 Mr. Somers. Finally, we ask that you not speak about

1 what we discussed today here in this interview with anyone
2 who is either not in the room here today or obviously on
3 the -- on the Webex. This is the end of my preamble. I
4 understand that your attorney and the Department, I think,
5 want to put something on the record. I'll start with the
6 Department, and then, Mr. Poe, we'll come to you.

7 Mr. Findlay. Sure. Thanks.

8 Mr. Poe. Thank you.

9 Mr. Findlay. We just wanted to confirm that because
10 the general rule of not attributing things to non-SES
11 folks, and in compliance with that general rule, and [REDACTED]
12 [REDACTED] having not been SES when he was with the Department,
13 that his transcript wouldn't be attributed to him or made
14 public. So --

15 Mr. Somers. Yeah. If and when a transcript of these
16 proceedings are made public, we will probably use the --
17 his name will either be redacted or use the identifier that
18 is in the Horowitz report.

19 Mr. Findlay. That sounds good, and then the same for
20 -- I don't know that we'll have to mention in any other
21 non-SES folks, but the same would apply to any other --

22 Mr. Somers. Yes, to any -- yeah, we will -- we will
23 redact that out --

24 Mr. Findlay. Great.

25 Mr. Somers. -- with either just a straight redaction

1 or the identifier from the Horowitz report.

2 Mr. Findlay. Sounds good.

3 Mr. Somers. Mr. Poe, did you have something you
4 wanted to add to the record or have questions for us?

5 Mr. Poe. Yes, sir, just three things. One is, you
6 know, just due to the format here, if for any reason [REDACTED]
7 [REDACTED] wishes to speak with me, obviously what we'll do is
8 we'll mute, and he and will have a telephone conversation
9 offline, number one, which is probably self-evident to
10 everybody in the room. Number two, the -- this interview
11 is being conducted under the terms of an email that I sent
12 to Mr. Baker on the 1st, and then to Mr. Baker and Ms.
13 Sawyer on the 4th of August, so I just want to put that in
14 the record. And the last thing is, following up on Mr.
15 Findlay's question and statement regarding the transcript,
16 on behalf of [REDACTED] I would simply request that nothing
17 be made public that could identify him with or without his
18 name, if -- to the extent possible. That would be a
19 request.

20 Mr. Somers. Yes. We no -- we have no plans to
21 identify him publicly and would take any steps to remove
22 anything else that that could identify him --

23 Mr. Poe. Thank you.

24 Mr. Somers. -- if and when the transcripts are made
25 public. Anybody else have anything before we begin?

1 Sorry. I'm just in a different world here with this Webex.

2 [No response.]

3 Mr. Somers. It is now 10:16, and we'll begin our
4 first round of questioning, and hopefully we'll be able to
5 get through this pretty quickly this morning. I anticipate
6 that, [REDACTED] that you'd be one of the shorter
7 interviews that we'll do as part of this investigation, but
8 I guess you never know. [REDACTED] when did you leave the
9 Justice Department?

10 [REDACTED] January 2018.

11 Mr. Somers. And what, for the record, are you
12 currently doing?

13 [REDACTED] I'm head of global investigations [REDACTED],
14 [REDACTED]

15 Mr. Somers. Okay. Have you had a chance to read or
16 review all or any portions of the Inspector General's
17 December 2019 report on Crossfire Hurricane and the Carter
18 Page FISA applications?

19 [REDACTED] Portions.

20 Mr. Somers. Portions. And for the record, do you
21 know if you are the individual identified as the deputy
22 section chief in NSD's Counterintelligence and Export
23 Control Section in the IG's FISA report?

24 [REDACTED] Yes, I believe in a footnote. I don't
25 remember what page, but I believe that's correct.

1 Mr. Somers. Okay. And then other than your personal
2 attorney and the attorneys with the Department, did you
3 speak to anyone in preparation for today's interview?

4 [REDACTED] No.

5 Mr. Somers. Obviously the main focus of what we're
6 going to talk about today is Crossfire Hurricane and the
7 Carter Page FISA application, and whatever role you had in
8 all that. But before I turn to Crossfire Hurricane, I did
9 just want to ask you, I believe I've got four questions
10 here on your role in the mid-year exam investigation of
11 Hillary Clinton's use of a private email server. Just for
12 the record, is it correct that you were involved in the
13 mid-year exam investigation?

14 [REDACTED] Yes.

15 Mr. Somers. And what was your position at DOJ when
16 you -- during that involvement?

17 [REDACTED] Deputy Chief, the same role we just
18 discussed.

19 Mr. Somers. Same role. Do you know how it was that
20 you came to be assigned to or work on the mid-year exam
21 investigation?

22 [REDACTED] I believe based on the subject matter that
23 I covered as deputy chief, which included
24 counterintelligence and mishandling of classified
25 information cases generally.

1 Mr. Somers. Okay. And what was your role, you know,
2 as best you remember it, on -- as part of the mid-year exam
3 investigation? What was your role in the investigation?

4 Mr. Poe. [REDACTED]? Mr. Somers, I'm not -- I'm not
5 sure that -- I need to check, but I believe that that last
6 question goes beyond the scope of what we agreed to.

7 Mr. Somers. I mean, that was my last question. I was
8 just trying to understand. If he could just give us just
9 broadly some general sense of what his role was, I think we
10 would be done with our mid-year exam questions. I'm not
11 looking -- I'm not looking for, like, specific tasks. I
12 just didn't know if he could give us some very broad
13 overview of what he did.

14 Mr. Poe. I appreciate that, and, of course, we're
15 intending to be fully cooperative. I just want to make
16 sure that that wouldn't open the door from the minority
17 staff's perspective for additional questions.

18 Ms. Zdeb. I don't know if you can see me. This is
19 Sara Zdeb on the minority staff. It's hard to say without
20 hearing his answer, but I do not anticipate that we will be
21 asking many or any questions at all on mid-year exam.

22 Mr. Poe. Well, you know, again, we don't want to make
23 this unduly complex. This might be worth a short break so
24 I can speak to [REDACTED]

25 Mr. Somers. Yeah, that -- why don't we go ahead and

1 take a short break then?

2 Mr. Poe. All right. It'll be very brief.

3 Mr. Somers. Okay.

4 Mr. Poe. Thanks.

5 Court Reporter. Going off the record or --

6 Mr. Somers. I think we won't be able to hear them,

7 so.

8 [Pause.]

9 Mr. Poe. Mr. Somers?

10 Mr. Somers. Yes?

11 Mr. Poe. Thank you for that break. [REDACTED] is
12 prepared to answer your question.

13 Mr. Somers. Okay. Thank you. Do you remember the
14 question or do you need to me to repeat it?

15 [REDACTED] I remember it.

16 Mr. Somers. Okay.

17 [REDACTED] So my role on the case, I was one of the
18 DOJ attorneys who worked on the case both from NSD and from
19 the U.S. Attorney's Office in the Eastern District of
20 Virginia.

21 Mr. Somers. Okay. I guess that does just raise one.
22 You worked in the Eastern District of Virginia or you
23 worked at NSD, not in relation to mid-year, but --

24 [REDACTED] Oh, sorry. I worked in NSD, and you were
25 asking me about my role on mid-year, and I was saying I was

1 one of the Department of Justice attorneys who worked on
2 mid-year. There were some from NSD and some from the U.S.
3 Attorney's Office in Alexandria. I was in the former
4 group.

5 Mr. Somers. Okay. Okay. Thank you. And then I
6 think from your -- from the questions I've asked you so
7 far, when Crossfire Hurricane -- the Crossfire Hurricane
8 investigation began, I assume on July 31st of 2016, you
9 were the deputy section chief in NSD that you were when you
10 left the Department. Is that correct?

11 [REDACTED] In July of 2016? Yes.

12 Mr. Somers. Yeah, and then all the way through until
13 you left the Department in 2018?

14 [REDACTED] Correct.

15 Mr. Somers. Okay. What would -- generally, you know,
16 speaking, what was your -- what was your job during that
17 time period at NSD? What type of laws and -- did you have
18 responsibility for?

19 [REDACTED] So the areas I covered included Federal
20 counterintelligence matters, so espionage, mishandling of
21 classified information, economic espionage, theft of trade
22 secrets for -- by foreign governments or people associated
23 with foreign governments, matters like that.

24 Mr. Somers. Did you have any responsibility for the
25 Foreign Agents Registration Act?

1 ██████████ Not really. There was a separate unit
2 that handled that within my section.

3 Mr. Somers. Did you have any?

4 Mr. Baker. I was just going to ask, is that your
5 expertise, or was that your expertise, at DOJ, or did you
6 have other assignments before you ended up in that spot?

7 ██████████ Before I became deputy, I was a line
8 attorney in the section, and I handled the matters I
9 described to you, but also export control matters, so
10 Commerce-controlled and State Department-controlled items
11 going to sanction countries, things like that, plus
12 counterintelligence matters.

13 Mr. Baker. But that section was the entire -- that's
14 where you spent the entire duration, your tenure at DOJ.

15 ██████████ Correct.

16 Mr. Baker. Thank you very much.

17 Mr. Somers. Have you in your tenure at DOJ worked on
18 FISA applications?

19 ██████████ Not worked on them, no. That was a
20 different section that handled them.

21 Mr. Somers. Have you been involved in investigations
22 that involve FISA coverage?

23 ██████████ Yes.

24 Mr. Somers. Is that a pretty regular component of
25 investigations you're involved in, or would that -- would

1 that be out of the ordinary?

2 [REDACTED] It's certainly not in every case, but not
3 out of the ordinary.

4 Mr. Somers. No, but you've never actually worked on
5 an application itself. That's what you just testified to?

6 [REDACTED] Yeah, we don't -- we don't -- sorry. The
7 section I worked in did not handle the applications.

8 Mr. Somers. Did you -- so you -- have you ever
9 reviewed a FISA application for substance prior to it being
10 filed or renewed?

11 [REDACTED] No, the FISA applications that I've looked
12 at tended to involve litigation after the fact.

13 Mr. Somers. Okay. When did you switch into Crossfire
14 Hurricane specifically? When did you first learn about the
15 Crossfire Hurricane investigation?

16 [REDACTED] Sometime in the fall of -- late summer,
17 fall of 2016.

18 Mr. Somers. And how did you become aware of it?

19 [REDACTED] My manager, the section chief, informed me
20 of it, and I -- took me to a meeting concerning the matter.

21 Mr. Somers. Okay. And David Laufman, that's your --
22 who you referred to as the section chief? Is that correct?

23 [REDACTED] Correct.

24 Mr. Somers. Let's see. So he informed you prior to
25 the meeting, or the meeting was how you were informed about

1 the investigation?

2 [REDACTED] I think he told me about it generally
3 because I -- he was taking me to a meeting.

4 Mr. Somers. Okay. And do you recall what he told you
5 about the investigation, roughly?

6 [REDACTED] I think just a general --

7 Mr. Somers. Yeah.

8 [REDACTED] Yeah, just a general description of the
9 matter.

10 Mr. Somers. Do you recall what he told you was being
11 investigated?

12 [REDACTED] I don't remember how he worded it, no.

13 Mr. Somers. So between his conversation and maybe
14 this first meeting you went to, what was kind of your
15 original or your early understanding of what Crossfire
16 Hurricane was investigating, was an investigation of?

17 [REDACTED] I understood it to be an examination of
18 Russian interference in the election, something along those
19 lines.

20 Mr. Somers. Did you understand it to relate
21 specifically the Trump Campaign?

22 [REDACTED] I guess -- I don't want to draw the
23 distinction between what I knew beforehand and what I
24 learned at the -- at the meeting as I started to attend.

25 Mr. Somers. Okay. And what was -- who was in this

1 meeting -- this first meeting you attended?

2 [REDACTED] A number of FBI folks from headquarters
3 and a few people from DOJ around the SCIF conference room
4 at FBI.

5 Mr. Somers. At FBI? Was it all officials from NSD on
6 the Department side?

7 [REDACTED] To the best of my recollection.

8 Mr. Somers. On the FBI side, do you recall if Peter
9 Strzok was in the meeting?

10 [REDACTED] I do recall him being there.

11 Mr. Somers. Bill Priestap?

12 [REDACTED] I'm not sure if Bill Priestap was there or
13 not.

14 Mr. Somers. Lisa Page?

15 [REDACTED] I don't remember. There were -- so what I
16 would say is there were -- these were regular meetings, and
17 I'm not sure the attendance was the same every time.

18 Mr. Somers. These were regular meetings that -- you
19 regularly attended these meetings?

20 [REDACTED] Yes, once I -- once I came to the first
21 one, I, I think, generally, came thereafter.

22 Mr. Somers. And I'm sorry. You said they were weekly
23 meetings? I --

24 [REDACTED] I think they were either weekly or every
25 other week.

1 Mr. Somers. Okay. So maybe I should start back over
2 again and not ask specifically about the first meeting.
3 Just generally attendance wise, you said Peter Strzok at
4 least attended one meeting. Was he kind of a regular
5 attendee at these meetings?

6 [REDACTED] I think that's fair.

7 Mr. Somers. Bill Priestap, regular attendee?

8 [REDACTED] I don't know about that, but I recall
9 seeing him certainly at one point.

10 Mr. Somers. Okay. Lisa Page? Was she a regular
11 attendee?

12 [REDACTED] I'm not sure about that, but I remember --
13 I believe I would've seen her there. I don't know. I
14 don't want to characterize her as regular because I can't
15 recall.

16 Mr. Somers. [REDACTED]?

17 [REDACTED] Yes.

18 Mr. Somers. [REDACTED]?

19 [REDACTED] I don't remember seeing him there.

20 Mr. Somers. Do you know who he is?

21 [REDACTED] Yes.

22 Mr. Somers. [REDACTED]?

23 [REDACTED] Yes, I remember seeing him there.

24 Mr. Somers. Jim Baker?

25 [REDACTED] I'm not sure I remember seeing Jim Baker

1 there.

2 Mr. Somers. Patricia Anderson?

3 [REDACTED] I think maybe I recall seeing her there,
4 but I'm not sure if she was a regular attendee.

5 Mr. Somers. Sally Moyer?

6 [REDACTED] Yes.

7 Mr. Somers. Kevin Clinesmith?

8 [REDACTED] Yes.

9 Mr. Somers. And then on NSD side, I'm -- would Stu
10 Evans have ever attended these meetings?

11 [REDACTED] Yes, though I don't know if he was there
12 every time.

13 Mr. Somers. George Toscas?

14 [REDACTED] Yes.

15 Mr. Somers. David Laufman?

16 [REDACTED] Yes.

17 Mr. Somers. Tash Gauhar?

18 [REDACTED] I don't remember seeing Tash there.

19 Mr. Somers. Was there, and I don't know the name, but
20 was there a line attorney that may have directly been from
21 OI that may have directly been working on the -- on the
22 FISA? Was there an attorney like that in attendance in
23 these meetings?

24 [REDACTED] I don't recall a line OI person being
25 there.

1 Mr. Somers. Was there anyone else from, other than
2 Stu Evans, from the Office of Intelligence in these
3 meetings?

4 ██████████ I can't remember anyone right now.

5 Mr. Somers. So not -- definitely not a regular
6 attendee then.

7 ██████████ I think that's fair.

8 Mr. Somers. Okay. What about Mary McCord?

9 ██████████ I don't remember Mary being there.

10 ██████████ Okay. Anybody?

11 Mr. Baker. I apologize if you already answered this.
12 Was Andy McCabe or Jim Comey present at any of the
13 meetings? Did they ever stick their head in for any
14 reason?

15 ██████████ Not that I recall.

16 Mr. Somers. Okay. And what was generally the purpose
17 of these meetings?

18 ██████████ In my estimation, they were -- they were
19 updates, briefings by the FBI on their -- status of their
20 investigation.

21 Mr. Somers. Were investigative steps, things like
22 that, discussed in these meetings?

23 ██████████ Yes.

24 Mr. Somers. And was the question of whether to take
25 investigative steps in these -- in these meetings, or was

1 this just a straight here's what we're doing, like an
2 update meeting?

3 ██████████ I recall it more as an update meeting.

4 Mr. Somers. Okay. And do you recall why CES was
5 involved in these meetings?

6 ██████████ I don't actually know specifically if
7 there were discussions about that that happened when I
8 wasn't there. Obviously I wasn't there -- I should say,
9 these meetings went -- were going on before I started
10 attending.

11 Mr. Somers. Okay. So what -- I guess maybe we'd get
12 maybe a little better sense if I just ask you more
13 generally. What was your -- what was your role on
14 Crossfire Hurricane?

15 ██████████ Honestly, we -- from my perspective, we
16 were getting updates on what was going on, but there was
17 not much that we were doing from a DOJ perspective on the
18 matter, at least as far as -- I shouldn't say from a DOJ
19 protect. From a CES, from a Counterintelligence and Export
20 Control Section perspective, it was not a very active role,
21 in my view.

22 Mr. Somers. So how long were these -- how long would
23 one of these meetings take on average?

24 ██████████ I don't actually -- I don't remember.

25 Mr. Somers. All right. But you didn't have -- so

1 they started -- these meetings started in the fall of 2016.
2 Would you say in that time period that was your main --
3 kind of your main role on Crossfire Hurricane was to attend
4 these meetings, or were there other things you were doing?

5 [REDACTED] So I don't know when the meetings started.
6 I started attending in the fall of 2016, just to clarify
7 that, and the main -- yeah, there was not much of an active
8 role for our section in -- as far as I understand it.

9 Mr. Somers. Okay. At some point, did you take on a
10 more active role in Crossfire Hurricane?

11 [REDACTED] I would say in 2017, the work became more
12 active.

13 Mr. Somers. And what type of things were you doing in
14 2017 for Crossfire Hurricane?

15 [REDACTED] Well, in 2017, we assigned an attorney
16 from our section to work on the matter, and he started
17 interacting with the FBI in a more substantive manner, I
18 would say.

19 Mr. Somers. And that's, I assume, a non-SES line
20 attorney?

21 [REDACTED] Correct.

22 Mr. Somers. What was he doing that was more active?
23 What was he doing for FBI or as part of the investigation?

24 [REDACTED] I think he was meeting with them, and I
25 think there were subpoenas going out, things like that.

1 Mr. Somers. This is somebody that -- was he in your
2 direct chain of command, or was it just somebody else from
3 CES?

4 [REDACTED] So we didn't organize the section that
5 way, so everyone did different types of cases. So he was a
6 line attorney in the -- in the section, so, yeah.

7 Mr. Somers. So the section wasn't further divided
8 below you.

9 [REDACTED] That's correct.

10 Mr. Somers. Okay. Do you know if that attorney had
11 any expertise in the Foreign Agents Registration Act?

12 [REDACTED] Actually, I don't know. I think he did.

13 Mr. Somers. Did you -- did you all have -- so we
14 talked about the meeting where FBI was essentially
15 providing updates basically. I don't want to overstate
16 what you said, but the general tenor of those meetings was
17 FBI updates. Were there other meetings besides those
18 regularly-scheduled meetings that you attended related to
19 Crossfire Hurricane?

20 [REDACTED] Not that I remember.

21 Mr. Somers. And so, okay. So I asked you initially
22 kind of what your original understanding of what Crossfire
23 Hurricane was looking at. Did that understanding evolve
24 over time? Did you get a better sense of what was being
25 looked at maybe in this 2017 time frame when you became --

1 when it became a little more active as to exactly what the
2 FBI was looking at?

3 [REDACTED] I think we -- I got more -- I guess, let
4 me put it this way. I think Crossfire Hurricane was sort
5 of an umbrella name for the case, and then there were
6 different sub-code names or whatever you want to call it.

7 Mr. Somers. Yeah.

8 [REDACTED] I learned that there were different parts
9 they were looking at, yeah.

10 Mr. Somers. Were there any of those parts that you
11 worked on more than others, or the sub-investigations?

12 [REDACTED] I think the most sort of time I spent on
13 anything was the -- I guess it related to Carter Page
14 because it was associated with the meeting with the --
15 what's been called the sub-source.

16 Mr. Somers. Okay. Did you work at all on the Michael
17 Flynn aspect of the investigation?

18 [REDACTED] No. I remember that eventually the line
19 attorney in our section was working on it in 2017 related
20 to FARA.

21 Mr. Somers. Okay. Paul Manafort? Did you work on
22 Paul Manafort at all?

23 [REDACTED] Not that I recall.

24 Mr. Somers. George Papadopoulos?

25 [REDACTED] No. I remember getting briefed about him

1 as sort of the origin of the case, but that's the -- I
2 think -- let me say that I think the line attorney in our
3 section may have worked on Mr. Papadopoulos in 2017, but I
4 don't remember any details.

5 Mr. Somers. So is there -- just staying on the
6 Foreign Agents Registration Act for a second. I'm just
7 trying to understand a little bit, at the time you were
8 there, the division within the Counterintelligence and
9 Export Control Section. Is there -- is there a FARA unit
10 within -- not is there now. Was there then a FARA unit
11 within CES?

12 [REDACTED] Yes, there was then, and, as I understand
13 it, there is now.

14 Mr. Somers. Okay. How many -- how many units are
15 there in -- not are there now -- were there, if you recall,
16 within CES during this time frame?

17 [REDACTED] That was the only unit as far as I know.

18 Mr. Somers. Okay. And this line attorney was not
19 from the FARA unit, I take it?

20 [REDACTED] No.

21 Mr. Somers. Okay.

22 Mr. Poe. I'm sorry. Mr. Somers, this is Greg Poe.

23 [REDACTED] responded "no," but I think that answer could be
24 taken as ambiguous.

25 Mr. Somers. So, Mr. --

1 ██████████ Ask me -- ask me again. I'll try to
2 answer it. Sorry.

3 Mr. Somers. To the best of your knowledge, was -- we
4 spoke about a line attorney. To the best of your
5 knowledge, was that line attorney assigned to the FARA unit
6 in -- within CES?

7 ██████████ To the best of my knowledge at the time,
8 he was not okay.

9 Mr. Somers. Okay. Now, you mentioned a moment ago
10 that -- and I don't want to mischaracterize what you said,
11 but it seemed like you were alluding to the fact that your
12 primary involvement involved the primary sub-source for the
13 Carter Page FISA application and the interview with the
14 primary sub-source. Is that a fair statement?

15 ██████████ I think that's fair. It was the most sort
16 of -- most involvement I had with what was -- what was
17 going on, as best I recall, although, and I'm sure we'll
18 discuss it, it wasn't -- wasn't terribly involved, as
19 you'll -- as you'll learn.

20 Mr. Somers. All right. Well, let's maybe start at
21 the big -- the big piece of that. You did attend the --
22 there was a 3-day interview in late January -- I believe
23 it's January 24th to January 26th -- of Christopher
24 Steele's primary sub-source. You did attend that
25 interview, correct?

1 ██████████ I attended portions of it, but not the
2 entire 3 days.

3 Mr. Somers. Did you attend -- well, explain to me
4 what you did attend then.

5 ██████████ In my recollection, I attended when Mr.
6 Laufman could not, so I think I attended the last 2 days.

7 Mr. Somers. Okay. Did you attend any -- I mean, my
8 impression from the IG report is you may have attended part
9 of the first day, or is that --

10 ██████████ So I recall Mr. Laufman having to leave
11 early one day, and I can't remember what day that was, so
12 I'm not sure which ones were full days and which not. I do
13 believe I attended definitely the last two.

14 Mr. Somers. Okay. And where did this interview take
15 place?

16 ██████████ At a law firm conference room at a law
17 firm called ██████████.

18 Mr. Somers. So it didn't take place at Washington
19 Field Office.

20 ██████████ Not to my recollection.

21 Mr. Somers. Okay. And who was in the -- who was in
22 the interview? I don't need you to tell me the name of the
23 primary -- let me just put that on there. I don't need you
24 to tell me the name of the primary sub-source, but --

25 Mr. Findlay. And I would think the title -- in the

1 302 that I think you're referring to, the titles are there,
2 so I'd ask [REDACTED] not to give the name, but just use the
3 titles.

4 Mr. Somers. Okay. Or I could ask it differently. I
5 could ask, my understanding is the primary sub-source was
6 in the interview, the primary sub-source's attorney was in
7 the interview, and there were two agents -- or, I'm sorry -
8 - one agent and one analyst from the FBI in the interview,
9 and you were in the interview. Did I miss anybody?

10 [REDACTED] Mr. Laufman.

11 Mr. Somers. And the two individuals that were in the
12 interview from the FBI, they were -- was that [REDACTED]
13 and [REDACTED]?

14 [REDACTED] Can I answer that, Patrick?

15 Mr. Findlay. Yeah, that's fine, and those will be
16 subject to the -- yeah.

17 Mr. Somers. We'll take it out.

18 [REDACTED] Okay.

19 Mr. Findlay. That's fine to confirm or deny.

20 [REDACTED] That's correct.

21 Mr. Somers. Okay. Just one attorney for the primary
22 sub-source?

23 [REDACTED] Yes.

24 Mr. Somers. Okay. So what was your understanding of
25 why all of a sudden you were attending this interview?

1 ██████████ It's my understanding that the FBI wanted
2 to speak with the sub-source, and he had an attorney, and
3 the FBI called Mr. Laufman to have him work it out with the
4 attorney so that they could sit down with the -- with the
5 sub-source. So that's why they called Mr. Laufman.

6 Mr. Somers. Were you involved in those discussions
7 prior to the interview with the primary sub-source's
8 attorney?

9 ██████████ I believe Mr. Laufman handled it. I
10 believe he knew that attorney from prior work.

11 Mr. Somers. Okay. And did the FBI further request
12 that Mr. Laufman or somebody from CES attend the actual
13 interview?

14 ██████████ I don't know if the FBI asked that or
15 whether the sub-source's attorney asked for that. I'm not
16 sure.

17 Mr. Somers. Okay. But do you -- okay. Do you recall
18 why you were chosen to attend when Mr. Laufman could not
19 when he was absent?

20 ██████████ I think because I was the deputy for the
21 subject matter area, and I'd already been briefed on the
22 case.

23 Mr. Somers. And what did you understand the -- sort
24 of the nature of the -- what were you told? What was the
25 nature of this interview?

1 ██████████ My understanding was that they were trying
2 to speak with the source or sources underlying the Steele
3 reporting, and they, therefore, wanted to speak to this
4 individual.

5 Mr. Somers. Did it seem important that they speak
6 with this individual?

7 ██████████ I don't know how to answer that.

8 Mr. Somers. I don't know if the -- I just -- I'm just
9 not quite -- did anyone raise the -- I don't know. Mr.
10 Laufman asked you to attend. I assume he's the one that
11 asked you attend to interview. Is that correct?

12 ██████████ Yes.

13 Mr. Somers. Did he express anything to you about the
14 importance of this interview, or did he just say come
15 attend it?

16 ██████████ I think it was more the latter. I think
17 it was really that the FBI needed -- we needed to be there
18 for some reason to deal with this individual's attorney to
19 allow the FBI to conduct its interview.

20 Mr. Somers. Okay. So, basically, CES' role, and I
21 think this is pretty much what the IG report says. CES was
22 there because they negotiated the terms of the interview,
23 and I assume, I guess, it sounds like from your testimony
24 today, simply because the primary sub-source had an
25 attorney? Is that fair?

1 ██████████ I think it's fair. I would also say if
2 the attorney raised any issues during the interview, I
3 think we were there to address them as needed, but those
4 did not arise as far as I recall.

5 Mr. Somers. Did you have -- back to my question about
6 importance of the interview. You know, I assume that there
7 were probably -- did you ride over to the interview with
8 the agent and the analyst, intel analyst?

9 ██████████ No, I met them there.

10 Mr. Somers. Did you have any discussions during
11 breaks or anything in the -- in the interview with the --
12 either the agent or the analyst?

13 Mr. Findlay. You can answer, of course, whether you
14 had discussions, but I think, depending on the substance --
15 if the answer is yes, we might have to revisit.

16 ██████████ I don't recall any discussions.

17 Mr. Somers. Do you recall any discussion, just to put
18 a more -- a finer point on it, where they discussed or you
19 heard them mention anything about the importance of
20 interviewing the primary sub-source?

21 ██████████ No, I don't recall any discussions like
22 that.

23 Mr. Somers. Did you have any discussions with the
24 FBI, either generally at the FBI or with the two -- with
25 the case agent and the -- and the intel -- supervisor intel

1 analyst? Did you have any discussions with them prior to
2 the interview about the interview?

3 [REDACTED] I only recall a very general discussion
4 that they wanted to speak to this individual about the --
5 about the Steele reports. I don't remember any detailed
6 session in advance of the -- of the interview. It's
7 possible that occurred and I wasn't present, so I don't
8 want to say there wasn't any such discussion, but I don't
9 recall being part of one.

10 Mr. Somers. Okay. Were there -- were there
11 restrictions? I mean, did the attorney for the primary sub
12 -- were there parameters for the interview?

13 [REDACTED] I don't -- I don't recall any, and I don't
14 recall the attorney interposing himself during any
15 questioning.

16 Mr. Somers. Yeah. I guess what I'm asking is whether
17 the -- you know, Mr. Laufman, it sounds like, arranged for
18 or negotiated, however you want to characterize it, this
19 interview. And I just didn't -- what I was getting at is
20 whether the primary sub-source's attorney had put any
21 conditions, parameters, restrictions on the interview that
22 then would've had to have been conveyed to the agents
23 actually taking the interview.

24 [REDACTED] I don't remember any.

25 Mr. Somers. So did it seem like, either from your

1 discussions prior to the interview or just sitting in the
2 interview itself, that there were topics or areas sort of
3 off limits, or was this kind of a freewheeling interview?

4 [REDACTED] I recall him answering everything he was
5 asked.

6 Mr. Somers. Do you recall if his attorney ever
7 instructed him not to interview -- not to answer a
8 question?

9 [REDACTED] I actually don't recall him giving any
10 such instruction.

11 Mr. Somers. Okay. Did you glean any impression for
12 how the agent or the supervisor, intel analyst, thought the
13 interview was going?

14 Mr. Findlay. I think that's -- his impressions of how
15 the interview was going, I mean, that's going to be
16 protected and wasn't in the IG report, if I recall. I
17 guess he can answer whether he developed impressions, but
18 then saying what those were would be protected.

19 Mr. Poe. Mr. Somers, this is -- this is Greg Poe.
20 Can I just add that the memorialization of the -- of sort
21 of the agreed scope concerns [REDACTED] knowledge of
22 historical facts. So, again, he wants to cooperate fully.
23 I just want to make sure we're sensitive to boundaries on
24 things like impressions, opinions, and so forth.

25 Mr. Somers. Yeah, I'm just trying to get whether he

1 had a sense of whether the FBI agents thought they were
2 getting what they were -- what they were looking for from
3 the primary sub-source, one. And I also, two, am trying to
4 get whether he got any impression of -- from the FBI agents
5 of whether, like, you know, hey, this is a big deal that
6 we're -- that we're interviewing this guy. That's really
7 kind of what I'm getting at. I'm not looking for their
8 specific comments or anything. I'm just trying to get a
9 sense of whether this was perceived to be an important step
10 in the investigation. He may have gotten no such
11 impression and had no such conversations. So I'm just kind
12 of poking around here a little bit just trying to see if
13 there's any general impression that you got that the FBI
14 agents -- agent and intel analysts in the room for the
15 interview thought this was an important investigative step
16 to have accomplished.

17 Mr. Findlay. So I think he already answered that he
18 didn't have those sorts of discussions with them, and I
19 think he already answered that the witness, at least while
20 he was there, that the witness answered all of the
21 questions that were asked of him. So beyond that, it's --
22 you're asking for his takeaway of --

23 Mr. Somers. Yes.

24 Mr. Findlay. -- his impression of how the interview
25 went?

1 Mr. Somers. Yes, I'm trying to -- versus asking him
2 15 questions that you may have object to me asking based on
3 your prior -- previous objection, I'm just trying to see if
4 he can generally give me an impression of how the FBI
5 agents thought the -- either the interview went or related
6 to like, hey, it's great that we got to interview this guy.
7 I'm just trying to -- I think rather than draw a ton of
8 objections, and maybe he has no impression, in which case
9 he could say I did not gain any such impression, and we
10 could avoid asking a ton of questions as well.

11 Mr. Findlay. So that's fair. And so you're asking
12 him his impression that he gleaned without discussion of
13 the FBI's impression of how things went.

14 Mr. Somers. He didn't say he had no discussion with
15 the agents. I asked him about a particular discussion.

16 Mr. Findlay. I guess we can -- we can certainly let
17 him answer whether he had an impression.

18 ██████████ I mean, I think what I would say is I
19 don't remember any specific discussions with the agents, or
20 the agent, and the analyst about it. My recollection is
21 that any question they asked, the individual answered, and
22 there were no problems in getting the person to answer the
23 questions that were being asked. That's my recollection.

24 Mr. Baker. Did you brief Mr. Laufman or anyone else
25 at DOJ about what had attended at this meeting once you

1 returned to DOJ?

2 [REDACTED] I think I probably in the normal course
3 would have done so. I don't remember specifically doing
4 so. And to the extent I did, I think it would've been
5 whether there were any issues that arose that I had to deal
6 with in his absence.

7 Mr. Baker. Would you have had similar briefings with
8 Mr. Laufman or other superiors or DOJ people when you had
9 these Crossfire Hurricane meetings at FBI headquarters?
10 When you went back to DOJ, did you have any discussion
11 about what you gleaned from the meetings or where the case
12 was progressing to?

13 [REDACTED] I don't remember doing that.

14 Mr. Baker. Did you ever prepare any summaries from
15 the standing Crossfire Hurricane meetings, or did you
16 prepare any summary for DOJ, Mr. Laufman, or anybody else
17 about what happened at the meeting -- at the interview?

18 [REDACTED] I don't remember preparing summaries of
19 those meetings. It's possible I took notes at the
20 meetings, but I don't remember preparing any summaries.

21 Mr. Baker. I was going to ask if you took any
22 informal notes, and, if so, what happened to those.

23 [REDACTED] If I took notes, they would've been
24 classified, and they would've been left at the Department
25 when I left.

1 Mr. Baker. Okay. Did you, and I don't want to get
2 back into the discussion of what people thought or heard or
3 other people's impressions. But was there a general, this
4 meeting was really a bombshell in terms of just a high-
5 level summary of what was learned, people were surprised at
6 what they heard, or it was just the aftermath was kind of
7 mundane, we're going to document what we -- what we learned
8 here and move on, or was it really something that needed to
9 be followed up on based on what was learned at this
10 meeting?

11 Mr. Findlay. So, again, you're asking him to
12 characterize -- you're asking him to characterize sort of
13 other folks' impressions --

14 Mr. Baker. Well, what was --

15 Mr. Findlay. -- his own impression.

16 Mr. Baker. What was your impression of it? Did you
17 hear things that were contrary about the case -- about the
18 foundations of the case that you had not heard before or
19 were contrary to what you heard before?

20 Mr. Findlay. And, again, his impressions would still
21 be protected. Those aren't in the IG report and waived,
22 and I think that's also outside the scope that you
23 negotiated with his counsel. But regardless, we would
24 object.

25 Mr. Baker. Was there anything you heard that was

1 contrary to the general discussions at these meetings at
2 FBI headquarters that you had previously been attending?

3 [REDACTED] Not that I -- not that I recall, and I
4 didn't -- sorry. Patrick, what am I supposed to do about
5 my impressions?

6 Mr. Findlay. Yeah, I'm not entirely sure what -- so
7 are you saying did he learn during the interview facts that
8 --

9 Mr. Baker. Did --

10 Mr. Findlay. -- were contrary to facts that were --

11 Mr. Baker. Yes. Yes. Did he learn anything that was
12 contrary to what you believed about this case that you'd
13 previously learned by these meetings at FBI headquarters?
14 Did this interview change or cause concern in your mind
15 about things you had already learned?

16 Mr. Findlay. So, again, "changed or caused concern"
17 is his impressions.

18 Mr. Baker. Well, was there anything you heard that
19 was absolutely black-letter different from what you had
20 been told at these prior meetings?

21 Mr. Findlay. And you can answer "yes" or "no," but if
22 there was and it's beyond or behind one of the redactions
23 in the report, he won't be able to get into it, so we might
24 have to go a little more granular.

25 [REDACTED] Not from what I'd heard in the meetings,

1 no.

2 Mr. Somers. Did the -- did these meeting -- I assume
3 these regular meetings we talked about earlier continued on
4 or were still going on at the time of the primary sub-
5 source interview?

6 [REDACTED] I don't recall those meetings going past
7 late 2016, but you'd have to check me on that.

8 Mr. Somers. Okay. Well, do you recall being in a
9 meeting with FBI after the primary sub-source interview
10 about Crossfire Hurricane, like a general update meeting?

11 [REDACTED] Not right around that time, no. I recall
12 it being sort of quiet from late 2016 until, when I
13 described to you earlier, things sort of picking up in
14 2017, maybe February, something like that, March.

15 Mr. Somers. All right. And other than what you may
16 have discussed with Mr. Laufman about the interview -- I'm
17 sorry. There's been a lot of back and forth here. Is it
18 my understanding that you did not have a meeting or
19 discussion about the primary sub-source interview with
20 anyone else after the -- after the meeting?

21 [REDACTED] Can you hold on one second because my
22 children are screaming in the background?

23 Mr. Somers. Absolutely. Absolutely.

24 [Brief pause.]

25 [REDACTED] I'm sorry about that. That's probably not

1 something you have to deal with too often.

2 Mr. Somers. No, no, no, that's fine.

3 [REDACTED] I may ask you to repeat that one just so I
4 -- so I have it. Sorry.

5 Mr. Somers. Yeah, so you said that you may or may not
6 have discussed the primary sub-source meeting with Mr.
7 Laufman directly either during the 3-day period or after.
8 Did you have any discussions about the primary sub-source
9 meeting with anyone other than Mr. Laufman either during or
10 after the meeting?

11 [REDACTED] I don't remember discussing it with anyone
12 during or after the meeting. And I -- while I don't
13 remember specifically discussing with Mr. Laufman, I do
14 feel comfortable saying that I would've normally done so,
15 especially because I felt I was filling in for him.

16 Mr. Somers. Okay. And then during the meeting, I
17 assume you didn't ask any questions of the primary sub-
18 source?

19 [REDACTED] I don't believe I did.

20 Mr. Somers. And it seemed like the attorney wasn't
21 objecting a lot, so there was no major interaction that you
22 had with the primary sub-source's attorney during the
23 interview?

24 [REDACTED] No, just chatting with him. He was -- if
25 anything, he was sort of trying to be helpful in getting --

1 he wasn't -- he wasn't interjecting or stopping his client
2 from answering anything.

3 Mr. Somers. Okay. And so I guess there -- and just
4 taking it from your other answers, but just put a finer
5 point on it, I assume there was no debrief type of session
6 with the agent and the analyst after -- that you were
7 involved in, after each day of interviewing the primary
8 sub-source.

9 [REDACTED] Sorry. Say that one more time?

10 Mr. Somers. I assume that, you know, that you were
11 never involved in some sort of debrief or discussion about,
12 like, how each day's -- like a debrief of the -- of the
13 day's interview with the primary sub-source. You would --
14 you and the agent and the analyst didn't get together and
15 discuss it after each day.

16 [REDACTED] No.

17 Mr. Somers. And did you review the 302s of the -- of
18 the interview?

19 [REDACTED] At the time?

20 Mr. Somers. At the time.

21 [REDACTED] No.

22 Mr. Somers. How about the -- the 302s that the
23 interviewer then put together into one document, 57-page
24 long summary of the interview, is that something you
25 reviewed or had access to around that time?

1 ██████████ Not around that time, no.

2 Mr. Somers. So it wasn't sent to you at some point
3 after the interview.

4 ██████████ I don't recall seeing it.

5 Mr. Somers. Okay. Who did most of the questioning
6 during the interview?

7 ██████████ I think it was shared, but I think the
8 agent did most of the questioning.

9 Mr. Somers. Okay. And just -- there were no
10 objections to -- that you recall, from the primary sub-
11 source's attorney?

12 ██████████ Correct.

13 Mr. Somers. Okay. And then that 57-page summary, I
14 know you haven't seen the -- maybe you've seen the summary,
15 but you had -- you didn't see it at the time. It mentions
16 on the bottom of the summary that there's a proffer as part
17 of this interview. Do you recall that? Proffer agreement.
18 Sorry.

19 ██████████ Proffer agreement. Yeah, I mean, there
20 was -- there was like a -- an immunity agreement, like a
21 "Queen for a Day" agreement, that I would call it, that was
22 in place for the interview.

23 Mr. Somers. Is that something that CES negotiated
24 with the primary sub-source's attorney?

25 ██████████ Yeah, I think Mr. Laufman did that with

1 the sub-source's attorney before the interviews were
2 conducted.

3 Mr. Somers. Do you recall whether that was a standard
4 "Queen for a Day" sort of arrangement?

5 [REDACTED] I should be careful what -- how I
6 characterize things. It was like a -- as I recall, it was
7 a letter agreement and would've been, like, the standard
8 format.

9 Mr. Baker. Were any FBI lawyers involved in
10 negotiating that agreement?

11 [REDACTED] I don't know. I think Mr. Laufman worked
12 it through with the other attorney, so I don't know who
13 else might've been involved in that discussion.

14 Mr. Somers. Okay. So did it cover it -- was it
15 tailored specifically to the primary sub-source?

16 [REDACTED] Well, in that it had [REDACTED] name in it, yeah,
17 but I -- sorry. Maybe you want --

18 Mr. Somers. Well, here -- you're dealing with -- I'm
19 a -- I've got very little criminal experience, none. It
20 would be -- law school would be last time I had any
21 criminal experience. I'm more of a civil -- a civil
22 lawyer, so I've never seen a proffer agreement, to my
23 recollection. But I'm guessing -- my question is, is this
24 a standard "Queen for a Day," however you want to
25 characterize it, standard proffer agreement, or are these

1 agreements tailored towards specific potential criminal
2 liability?

3 [REDACTED] I would describe it as more generalized.
4 I would call it like -- like a letter immunity agreement,
5 and normally we'd use the standard language for whatever
6 place we're doing it, so D.C. here.

7 Mr. Somers. Okay. And in your experience, is this --
8 and I don't know if you have -- I guess I -- you know, I
9 don't know how many -- have you been involved in other
10 interviews of individuals by the FBI?

11 [REDACTED] Yes.

12 Mr. Somers. Would you characterize this proffer
13 agreement as a standard or at least a regular component of
14 such interviews?

15 [REDACTED] I would, yeah, when -- it's something
16 that's used in those interviews. And I want to be careful
17 about the specifics here, but I would feel comfortable
18 saying it was sort of the standard language that was used
19 for one of those letter agreements.

20 Mr. Somers. Okay. So nothing unusual to your mind
21 that there was a proffer involved in this interview.

22 [REDACTED] No, it certainly is something that's used
23 in interviews.

24 Mr. Somers. Do you recall whether it only covered
25 that interview, or did it cover subsequent interviews with

1 the FBI?

2 [REDACTED] The 3-day? I know it -- I believe it
3 covered all 3 days. I don't recall the last time I looked
4 at it, so I don't --

5 Mr. Somers. Okay.

6 [REDACTED] I don't want to speak to the specifics of
7 it.

8 Mr. Somers. I was speaking -- I was thinking more of
9 later interviews. He was interviewed two additional times.
10 I don't know if you recall whether it in later months
11 covered that, or whether it was just for the particular
12 interview you were conducting in January of 2017.

13 [REDACTED] I don't think I can answer that based on
14 what I remember right now.

15 Mr. Somers. That's fine. That's fine. Did you gain
16 any understanding of the Steele reporting based on sitting
17 through these 3 days of interviews?

18 [REDACTED] I remember different sort of topic areas
19 that came up, and I remember that there were report
20 numbers, so, that they were talking about.

21 Mr. Somers. Had you seen the Carter Page FISA
22 application or first renewal prior to your attendance at
23 this interview in January?

24 [REDACTED] No.

25 Mr. Somers. Had you seen any of the Steele reporting

1 prior to your attendance in this interview?

2 [REDACTED] I recall that I knew about it generally.
3 I also recall that it became public at some point, I
4 believe, prior to the interviews, but I don't think I had a
5 detailed knowledge of it.

6 Mr. Somers. Was the -- now, we talked about these
7 regular meetings earlier. Was the regular FBI sort of
8 update meetings of -- that were possibly weekly, was the
9 Steele reporting discussed during those meetings?

10 [REDACTED] I think it was. I think that would've
11 been how I -- how I learned of it, but I don't remember in
12 what detail or in what context. But I do remember sort of
13 knowing about it before it became public by, you know, by
14 BuzzFeed, whenever that was.

15 Mr. Somers. Okay. And I think just based on the last
16 couple questions I've asked you, I probably know the answer
17 to this question, but I'm going ask it anyway. Was there
18 -- was there anything that the primary sub-source said in
19 the meeting that stuck out to you as conflicting with the
20 Steele reporting?

21 Mr. Findlay. And just the stuck-out part, I guess I
22 would object to, but if you remember any of the
23 conflicting, I guess that's fine to answer "yes" or "no."

24 [REDACTED] I'll tell you, the only thing I really
25 remember was the reporting on the hotel-related stuff in

1 Moscow.

2 Mr. Somers. And what do you remember about that?

3 [REDACTED] I just remember the sub-source explaining
4 that it felt like it was based more on rumor than anything
5 else. I just remember that in particular for some reason.

6 Mr. Somers. Did you gain any understanding of
7 Christopher Steele's relationship with the primary sub-
8 source during the 3-day interview?

9 [REDACTED] I believe I learned that he was at --
10 worked for -- I don't know if that's the correct term, if
11 he's an employee, but I know I learned a little bit about
12 his relationship to Steele's entity.

13 Mr. Somers. Okay. It was your understanding that he
14 worked for Steele's entity?

15 Mr. Findlay. And I'm not sure whether that is -- I'm
16 not sure whether that's redacted or unredacted in the -- in
17 the 302. So if -- you know, if you want to walk him
18 through that and confirm statements or not, but beyond
19 that, unless we're sure it's unredacted in there, we're
20 going have to object.

21 Mr. Somers. Okay. Well, we're almost out of time in
22 this round, so I will consider that. Was it your
23 understanding that the primary sub-source lived in the
24 United States?

25 Mr. Findlay. Again, any details that he gained from

1 that interview are either in the 302 or they're not, and
2 we're going to have to go through that because I don't
3 think any of us have sort of total recall of what it --

4 Mr. Somers. It's not in -- I don't understand. It's
5 not his 302.

6 Mr. Findlay. If it's not unredacted in the 302, then
7 we would object. So if it is, he could possibly shed some
8 light on unredacted portions of it, but if it's not --

9 Mr. Somers. I don't understand why I care what he
10 knows about what's in the 302. I want to know if he
11 sitting there realized whether the primary sub-source lived
12 in the United States or not.

13 Mr. Findlay. And I understand that the general rule,
14 what he learned in that interview, is off limits. If it's
15 unredacted from the --

16 Mr. Somers. Why were we not told that the general
17 rule going into this interview is that I can't ask the
18 witness what he learned in the interview?

19 Mr. Findlay. You can. If it was an unredacted part
20 of the 302, the Department has allowed it to go out. If
21 it's either redacted or not in the 302, the Department
22 hasn't, and he can't testify about it. So there's quite a
23 bit unredacted that he could go through and confirm or,
24 again, possibly with limitations, sort of shed more light
25 on. But if it's redacted in there, he can't talk about it,

1 and if it's not in there, that privilege hasn't been
2 waived.

3 Mr. Somers. Are you -- are you objecting to it being
4 classified?

5 Mr. Findlay. It might be. I mean, that -- again, if
6 it's unredacted in the 302, it's perfectly fine for him to
7 reiterate. If it's redacted, it could be classified. It
8 could be privileged. I don't know what else to say. If
9 you -- if you can't point to it in the 302, he can't talk
10 about it.

11 Mr. Somers. All right. Well, I'll go back and look
12 at the -- at the 302 during the -- during the break and see
13 what we can ask him about that, although he has never seen
14 the 302 as part of his -- well, it's not even a 302 -- the
15 1057 as part of his -- I don't know what's in the 302
16 because the Bureau has not provided us with the 302.
17 Instead they provided us with this 57-page summary, which
18 may or may not reflect what's in the 302, but --

19 Mr. Findlay. And that's fair. That's the document
20 I'm referring to, the document --

21 Mr. Somers. Yeah, I know. I'm just -- I just want to
22 make that -- put that on the record as well. I think the
23 best thing to do probably now -- I don't have a whole heck
24 of a lot more to ask you, [REDACTED] but I think our hour
25 has expired or is quickly about to expire. I think we can

1 circle back on a few of these questions in a later round,
2 and I have just a few more questions for you. But I think
3 we'll probably take a short break and then turn it over to
4 --

5 Mr. Baker. -- 30 seconds.

6 Mr. Somers. -- the minority. I think Mr. Baker does
7 have one question for you.

8 Mr. Baker. The FBI's DIOG, Domestic Investigative
9 Operation Guidelines, that sort of is the rulebook for what
10 they do investigation-wise -- openings, closings,
11 techniques, whatever -- for a sensitive investigative
12 matter, their DIOG requires that there be a notification to
13 NSD. And I think there's -- it's even more formal where it
14 has to be at least emailed. I think, according to the IG,
15 NSD has an email account set up to receive these
16 notifications. But in this instance, because I think
17 things were moving quickly, or maybe because of the
18 heightened sensitivity of the investigation, there was an
19 oral briefing or an oral notification made to CES. Were
20 you aware of that, and who was that briefing made to at
21 CES?

22 [REDACTED] I'm not aware of that, and I don't want to
23 guess, so I'll just say I don't know.

24 Mr. Baker. Thank you.

25 Mr. Somers. Yeah, I think we can take a 5-minute --

1 how long do you guys need?

2 Ms. Zdeb. I think at this point we would be
3 comfortable if you two wanted to just keep going. We have
4 very little, at least for the time being, and so for the
5 sake of efficiency, it may make the most sense for you to
6 conclude your questioning, and then we can just jump in
7 once you're done.

8 Mr. Somers. All right. I will need a few minutes
9 just to go back and see if I can find something in the 1057
10 to ask about the location of the -- where the -- where
11 primary sub-source lived. But I can -- I can continue on
12 then with the last set of questions I wanted to --

13 Ms. Zdeb. Understood. That's fine with us.

14 Mr. Somers. Okay. So we're going to stay on then,
15 [REDACTED] for a few more -- a few more minutes here, and I
16 will try and follow up with you briefly then after the --
17 after the minority goes, then hopefully we can then let you
18 go. So I think you are nearing, at least from the
19 minority's description of their -- the amount of their
20 questions, I think you are nearing the end.

21 I'm going to read something from the IG's report and
22 ask you if you're familiar with the document that's
23 discussed here. On page 266 of the IG report, it says, "We
24 observed among the NSD's Counterintelligence and Export
25 Control Section, CES, records an April 2017 version of an

1 investigative" -- I'm sorry -- "an investigation outline
2 CES prepared and periodically updated reflecting that
3 Carter Page received an email from Gordon in July 2016
4 about the Platform change, and the -- that the email
5 'suggests Page was not involved in' the decision. Also
6 included in the CES outline were Page's denials to the
7 FBI." The document I want to ask you if you're familiar
8 with is, are you familiar with a CES outline that was
9 prepared and periodically updated, and it's -- according to
10 the IG report, the last version of it was in April of 2017.

11 ██████████ So what was the date again, April 2017?

12 Mr. Somers. Well, that's the -- it seems to me
13 there's multiple versions. I guess that's the last
14 version. That's around the time that the Special Counsel's
15 Office was formed.

16 ██████████ Mm-hmm.

17 Mr. Somers. So I assume that might be why it was last
18 modified, I would take that to mean. It just says that
19 it's -- it was in the records in CES, and it was -- they
20 characterized it as an investigation outline that CES
21 prepared and periodically updated. And one of the updates
22 in there appears to be that Carter Page received an email
23 from Gordon regarding the Republican Platform change.
24 That's not the part I'm asking about. I'm just asking if
25 you're familiar with the document.

1 ██████████ Yeah, so I'm not familiar with that
2 specific part you mentioned about Carter Page. But as to
3 the outline, I think I feel comfortable saying that when I
4 told you earlier that there was more active work going on
5 in 2017, I think that outline document, or whatever you
6 want to call it, was something that the line attorney at
7 CES would've been working on and updating.

8 Mr. Somers. Was this is a CES-created document?

9 ██████████ I don't -- I don't know who originally
10 created it. I just remember that there was sort of a
11 document that was updated and used to understand what was
12 going on.

13 Mr. Somers. Could you elaborate on that a little bit
14 more, "understand what was going" -- I'm just trying to
15 understand what the purpose of the document was.

16 ██████████ I guess what I would say was that the -- I
17 think the line attorney at CES was working with the FBI on
18 different -- like, the -- not the -- we don't talk about
19 the umbrella case. We talk about the sub -- the sub-cases,
20 different people. He would've been tracking that and sort
21 of keeping track of what's going on in those matters. I
22 think this document kind of tracked what was going on
23 investigatively in those matters. I don't know who created
24 it originally.

25 Mr. Somers. So it was created in anticipation that

1 CES might -- it allowed CES to keep track of what was going
2 on in all four cases, or were you saying it was just one of
3 the cases?

4 [REDACTED] I don't know how many cases, but I believe
5 the line attorney was working on different -- I don't know
6 what they call it, sub-parts, different individuals.

7 Mr. Somers. And I assume this was a classified
8 document. I mean, it seems to have raw FISA data in it.

9 [REDACTED] If that -- I would -- I would assume
10 that's the case, and it's also a counterintelligence
11 matter, so they're generally kept on classified systems.

12 Mr. Somers. So I'm just trying to -- this was -- this
13 was a document keeping track of the case versus a document
14 meant to catalog verification of Steele's allegations?

15 [REDACTED] The former, not the latter, as I
16 understand it.

17 Mr. Somers. Do you know if FBI had input into this
18 document or is this wholly a CES product?

19 [REDACTED] I understood it to be something that the
20 DOJ line attorney was using to track what was going on in
21 the matter.

22 Mr. Somers. So it definitely, from the description in
23 the IG report, had information about Carter Page. Do you
24 recall for that information about the other three cases in
25 it?

1 [REDACTED] Not a specific reference --

2 Mr. Somers. I shouldn't say "cases." I should say
3 "investigations."

4 [REDACTED] Investigations, yeah. Not specifically,
5 but I do recall that the line attorney was working on
6 multiple investigations.

7 Mr. Somers. Now, you don't know when this document --
8 did you ever input anything into this document, edit the
9 document?

10 [REDACTED] I don't believe so.

11 Mr. Somers. Was it something you had access to, or
12 was it something just that the line attorney was preparing?

13 [REDACTED] I think it was his document. I'm not sure
14 we had the ability to share anything like that anyway.

15 Mr. Somers. All right. I think that's all I have on
16 -- if you could just give me one second here.

17 [Brief pause.]

18 Mr. Somers. Just another mention here, and I think
19 this is -- this is from the -- I know this is from the IG's
20 report, and I just want to make sure that you concur with
21 this statement from the IG report. I think you and Mr.
22 Laufman -- you're the "they" in this.

23 [REDACTED] What page is this?

24 Mr. Somers. I don't happen to have the page with me,
25 but -- I'm sorry I didn't write that down, but there's a

1 "they" and an "us." The "they" is -- well, I can start it
2 earlier than that. "NSD's Counterintelligence Export
3 Control Section representatives attended the primary sub-
4 source January 2017 interview. Section Chief David Laufman
5 and his deputy section chief told us that they did not
6 recall discussing the interview with OI officials
7 afterwards. They told us they did not have knowledge of
8 the information in the Carter Page FISA applications at the
9 time, and that they were not sufficiently familiar with the
10 Steele reports to have understood there were
11 inconsistencies between the primary sub-source and Steele."
12 Accurate characterization by the IG?

13 [REDACTED] Yes.

14 Mr. Poe. (Off audio.)

15 [REDACTED] Oops, sorry. I cut someone off.

16 Mr. Poe. You cut off your lawyer, but that's okay.

17 You've answered the question.

18 [Laughter.]

19 Mr. Somers. I'm sorry. I think we just got cut off
20 there, and we didn't hear it in the room at least. Do you
21 believe that's an accurate characterization by the
22 Inspector General?

23 [REDACTED] Greg, did you want to say something? I'm
24 sorry.

25 Mr. Poe. No, I don't. Go ahead.

1 [REDACTED] Back to your question, yes, I think that's
2 accurate.

3 Mr. Somers. Okay. Now, it does say in that quote, it
4 says, "at the time." At a later time, did you realize that
5 there were inconsistencies between the Steele reporting and
6 what you learned during the primary sub-source interview?

7 Mr. Poe. [REDACTED], this is -- this is Greg Poe. Mr.
8 Somers, I mean, the reason I was going to interject before
9 was just that it would be useful if you're quoting from a
10 report, that [REDACTED] have access to see what you're quoting
11 from.

12 Mr. Somers. Yeah, it's in the -- if you could give me
13 a moment.

14 Mr. Poe. Sure.

15 Mr. Somers. It's in the IG report. I just am looking
16 at two documents, and so I don't have the -- it's on page
17 247 of the IG report.

18 [REDACTED] Is it the second full paragraph? No,
19 sorry.

20 Mr. Somers. Yeah, second full.

21 [REDACTED] Yeah. Second full paragraph, yeah.

22 Mr. Somers. Yeah, that's what I was --

23 [REDACTED] Let me just look at that quickly.

24 Mr. Somers. Yeah, yeah, please go ahead.

25 [Brief pause.]

1 ██████████ Okay. I just looked at that paragraph.

2 Mr. Somers. So I guess what I was looking at is the
3 quote there, or I guess it's not a quote, but the IG report
4 says at the time, you did not have sufficient knowledge of
5 the Carter Page FISA applications and were not sufficiently
6 familiar with the Steele reports to identify
7 inconsistencies between what you learned at the primary
8 sub-source interview and what was in the Steele reporting.
9 I guess what my question is, is after the time, at a later
10 time when you maybe became more familiar with the Carter
11 Page FISA applications or -- and/or the Steele reporting,
12 did you come to the realization that you learned things in
13 the primary sub-source interview that there were --
14 could've been understood to be inconsistencies between the
15 primary sub-source and Steele?

16 Mr. Poe. Mr. Somers, let me just interject one
17 second. I just want to make sure we're talking about --
18 you're identifying the time frame, you know. Are you
19 talking about up through, you know, for example, up through
20 April of 2017, or are you talking about up to the present
21 date, and that could -- that could obviously affect the --
22 what an appropriate answer would be.

23 Mr. Somers. No, I think what the IG is getting at
24 here, what I understand it to say, is that when ██████████
25 was in the primary sub-source interview, he had neither the

1 knowledge of the Carter Page FISA application or
2 Christopher Steele's reporting to know that there were --
3 there possibly could be inconsistencies between what the
4 primary sub-source was telling the FBI and what was in
5 either the Carter Page FISA application itself or the
6 Steele reporting. So he wouldn't have realized at the time
7 of that interview that there were inconsistencies. And I'm
8 asking him, looking back on it, knowing what he learned in
9 that interview and knowing what he may or may not know now,
10 whether he realizes that there were inconsistencies based
11 on his present knowledge of --

12 Mr. Poe. Well --

13 Mr. Findlay. You're asking him his knowledge up
14 through today where he could've read the IG reports and
15 that -- I mean --

16 Mr. Somers. I'm asking his -- yeah.

17 Mr. Findlay. It seems like the back end of April, to
18 Mr. Poe's point --

19 Mr. Somers. We could --

20 Mr. Findlay. -- would be more appropriate. I mean,
21 if you want to know whether he's read the IG report where
22 the IG talks about those inconsistencies, that just seems
23 like a --

24 Mr. Somers. Well, he was in --

25 Ms. Sawyer. Yeah, I --

1 Mr. Poe. Also, Mr. Somers, I don't want to step on
2 Mr. Findlay. But Mr. Somers, that -- this interview is
3 limited by agreements to historical facts, not views that
4 that he may have retrospectively based on after acquired
5 knowledge through the press or other sources.

6 Mr. Somers. Yeah, I'm asking him about the historical
7 interview, and -- we can -- we can limit it. Let's limit
8 it to by April 2017. Would that statement still -- would
9 "at the time" in that statement also cover all the way to
10 April of 2017?

11 [REDACTED] May I answer that one?

12 Mr. Findlay. I think that's fine. So you're asking
13 for the delta between January and April.

14 Mr. Somers. Yeah, I'm asking from -- so when you were
15 in the interview, you didn't have enough knowledge, and I'm
16 -- what I'm asking you is, did you gain enough knowledge by
17 April of 2017 to know that there were inconsistencies.

18 Ms. Sawyer. If I might. Sorry. I just want to raise
19 a point, Zach, not -- just to make clear on the record
20 that, vis-a-vis the document that reflects the January
21 interview, I think it's fair to say that the majority and
22 the minority do not share the same view as to whether or
23 not that document exposed any inconsistencies between what
24 the primary sub-source -- at least the version that we have
25 does not expose inconsistencies in what the primary sub-

1 source may have said in that interview and the Steele
2 reporting. So I just want to make that clear on the
3 record.

4 Mr. Somers. Yeah, I'm not -- I'm not -- I'm sorry.
5 I'm not trying to characterize my view of the document.
6 I'm trying to look at Inspector General Horowitz's view of
7 the document.

8 Ms. Sawyer. Yeah.

9 [REDACTED] So the question is, is there -- was there
10 any change between January when the interview took place
11 and April of 2017 as to my understanding of inconsistencies
12 between what was said in that interview and the FISA
13 application? Is that right?

14 Mr. Somers. Or the -- or the Steele reporting, yeah.

15 [REDACTED] Or the Steele report. My answer to that
16 is, no, I don't have any -- I can't draw any distinction
17 between January and April on that point.

18 Mr. Somers. Okay. I think that's all I have, and
19 we'll see if there's a further -- any further follow-up
20 questions after the minority. Do you all want a break
21 or --

22 Ms. Zdeb. Why don't we take a quick break?

23 Mr. Somers. Let's take 5 minutes.

24 Court Reporter. Off the record.

25 [Off the record at 11:36 a.m.]

1 [On the record at 11:49 a.m.]

2 Mr. Charlet. And Heather?

3 Ms. Sawyer. Yeah, sorry. I am here. I had it on
4 mute so the -- I wouldn't disturb with any background
5 noise, but I'll go ahead and unmute it just in case.

6 Mr. Charlet. Okay. Well, the time is 11:49, and we
7 can go back on the record. Good morning, [REDACTED] and
8 thank you for being here. We just have a few questions,
9 and I'm going to start a little bit more generally.

10 As you know, from the DOJ Inspector General's report
11 issue -- or -- I'm sorry -- the DOJ Inspector General
12 issued a 400-page report in December of last year titled,
13 "Review of Four FISA Applications and Other Aspects of the
14 FBI's Crossfire Hurricane Investigation." The report
15 detailed the results of a 2-year investigation into the
16 same topics that we're addressing today. According to the
17 report, the IG examined more than 1 million documents and
18 interviewed more than 100 witnesses, including Christopher
19 Steele and numerous current and former government
20 employees. Did you cooperate with the Office of Inspector
21 General investigation?

22 [REDACTED] Yes.

23 Mr. Charlet. Were you interviewed as part of that
24 investigation?

25 [REDACTED] Yes.

1 Mr. Charlet. How many times? Once? More than once?

2 [REDACTED] Once.

3 Mr. Charlet. And for how long approximately?

4 [REDACTED] No more than 2 hours.

5 Mr. Charlet. Did you provide complete, truthful
6 answers to the questions OIG asked during the course of
7 your interview?

8 [REDACTED] Yes.

9 Mr. Charlet. Did you or did the Justice Department
10 provide OIG with documents related to your involvement with
11 the Crossfire Hurricane investigation?

12 [REDACTED] I had already left the Department, so I
13 think the Department provided documents to the IG.

14 Mr. Charlet. Okay. Did you personally then ever hear
15 OIG complain that it needed more information from you?

16 [REDACTED] No.

17 Mr. Charlet. And did you ever hear OIG complain that
18 it didn't get the documents it needed related to your
19 involvement?

20 [REDACTED] No.

21 Mr. Charlet. Okay. Did you have an opportunity to
22 review the OIG report before they finalized and published
23 it, at least the portions that involved you?

24 [REDACTED] No.

25 Mr. Charlet. And when did you first see the portions

1 that involved you in the OIG reports?

2 [REDACTED] After it was publicly released at some
3 point.

4 Mr. Charlet. And you were not part of the Crossfire
5 Hurricane investigative team, correct?

6 [REDACTED] I don't know. I don't believe -- I don't
7 know if there was ever such a formal designation, but I
8 don't -- I don't believe I was on the team, so to speak.

9 Mr. Charlet. Okay. More specifically, you played no
10 role in the investigations of Paul Manafort, Michael Flynn,
11 Carter Page, or George Papadopoulos.

12 [REDACTED] No role. I was aware of what the FBI was
13 doing. They were briefing on the case, so you might have
14 to be more specific.

15 Mr. Charlet. Sure. To clarify, you did not have
16 active involvement, other than attending the January 2017
17 primary sub-source interview and sitting in meetings where
18 you received updates. Is that correct?

19 [REDACTED] I think that's correct, and on the
20 updates, I would include the questions I was answering most
21 recently about the line attorney in our office in the
22 spring of 2017, who was working more actively on the matter
23 and getting briefings there as well.

24 Mr. Charlet. Okay. Okay. Our committee held a 6-
25 hour hearing with Inspector General Horowitz following the

1 release of his 484-page report. A number of allegations
2 were made against the FBI during that hearing and
3 subsequently repeated at other hearings and meetings of the
4 committee. We believe the allegations were investigated
5 and answered by the Inspector General, but I'm going to ask
6 you a series of questions about them because we continue to
7 hear these allegations from people who do not have
8 firsthand knowledge or evidence about what happened during
9 Crossfire Hurricane.

10 The Inspector General found that there was no
11 documentary or testimonial evidence of bias impacting the
12 FBI's work in Crossfire Hurricane. Nonetheless, there have
13 been allegations that there was "tons of evidence of bias."
14 Aside from attending some general briefings and obtaining
15 some updates, your involvement in Crossfire Hurricane was
16 limited to attending a portion of the FBI's January 2017
17 interview of Christopher Steele's primary sub-source,
18 correct?

19 [REDACTED] Yes.

20 Mr. Charlet. Okay. Did political bias impact any of
21 your actions in connection with this interview?

22 [REDACTED] No.

23 Mr. Charlet. Did political bias ever impact any of
24 your other actions during your time at the Department of
25 Justice?

1 [REDACTED] No.

2 Mr. Charlet. Do you have any evidence that political
3 bias otherwise impacted the FBI or DOJ's work in Crossfire
4 Hurricane?

5 [REDACTED] No.

6 Mr. Charlet. It has been alleged that the FBI engaged
7 in a "massive criminal conspiracy over time to defraud the
8 FISA Court." Do you have any evidence that the FBI engaged
9 in a massive criminal conspiracy over time to defraud the
10 FISA Court?

11 [REDACTED] No.

12 Mr. Charlet. It has been alleged that the FBI
13 "purposely used the power of the Federal Government to wage
14 a political war against a presidential candidate they
15 despised." Do you have any evidence that the FBI agents
16 purposely used the power of the Federal Government to wage
17 a political war against then candidate Donald Trump?

18 [REDACTED] No.

19 Mr. Charlet. Do you have any evidence that the FBI
20 was attempting a coup against President Trump?

21 [REDACTED] No.

22 Mr. Charlet. Do you have any evidence that the
23 Crossfire Hurricane investigation was a "hoax" or a "witch
24 hunt" intended to hurt Trump politically?

25 [REDACTED] No.

1 Mr. Charlet. Was your goal to hurt Trump politically?

2 [REDACTED] No.

3 Mr. Charlet. What was your goal?

4 [REDACTED] To support the FBI and its investigative
5 activities as we did in any case.

6 Mr. Charlet. Do you have any evidence that Crossfire
7 Hurricane was part of a "deep state effort" to take down
8 President Trump?

9 [REDACTED] No.

10 Mr. Charlet. There have also been allegations that
11 the purpose of the Crossfire Hurricane investigation was to
12 change or nullify the results of the 2016 election. Do you
13 have any evidence that the goal of Crossfire Hurricane was
14 to change or nullify the results of the 2016 election?

15 [REDACTED] No.

16 Mr. Charlet. There have also been allegations that
17 Crossfire Hurricane was composed of people who hated Trump
18 and who had "an agenda to destroy him before he was elected
19 and after he was elected." Did you personally have an
20 agenda to destroy Trump at any point either before or after
21 he was elected?

22 [REDACTED] No.

23 Mr. Charlet. Do you have any evidence that the goal
24 of Crossfire Hurricane was to destroy Trump before or after
25 he was elected?

1 [REDACTED] No.

2 Mr. Charlet. Do you have any questions?

3 [Brief aside.]

4 Mr. Charlet. Does Ms. Sawyer have any questions?

5 Ms. Sawyer. Yes, I just have a couple, and I think
6 I'm on. Can you guys hear me okay?

7 Mr. Charlet. Yes.

8 Mr. Somers. Yep.

9 Ms. Sawyer. Great. Well, thank you for your patience
10 for dealing with this Webex. I think you -- everyone has
11 done an admirable job navigating the video, and, Bentley,
12 thank you for all your work with that. Just a couple
13 questions to put a slightly finer point on it. Just to be
14 clear, did you ever personally recommend any investigative
15 steps with regard to the Crossfire Hurricane investigation?

16 [REDACTED] I don't think so, no.

17 Ms. Sawyer. And did you ever launch an objection
18 about any investigative steps that were taken by the FBI or
19 DOJ related to the Crossfire Hurricane investigation?

20 [REDACTED] No.

21 Ms. Sawyer. And during the interview portions of
22 which you sat in on, did you ever suggest or recommend any
23 questions that were posed to the primary sub-source?

24 [REDACTED] No, I don't think so. I don't recall
25 asking anything.

1 Ms. Sawyer. And did you recommend to either the FBI
2 agent or analysts that they ask any particular questions?

3 [REDACTED] No, they were -- they were leading the
4 questioning and handling it.

5 Ms. Sawyer. And that's really all I had, and thank
6 you again for your time and for working through the
7 logistics of this interview with us.

8 [REDACTED] Of course.

9 Mr. Charlet. That's all for the minority's questions.

10 Mr. Somers. Are you able to see me up here, this
11 camera up here? You can hear me, [REDACTED] though.

12 [REDACTED] Yeah, I can hear you, and it's zooming in
13 on you now.

14 Mr. Somers. All right. Sorry. I just have a -- just
15 a quick question. I'm not able to find any declassified
16 information to ask you the question I was asking you
17 earlier about where the primary sub-source lived. I would
18 note that other people we've interviewed have been able to
19 answer, or at least one other individual we've interviewed
20 has been able to answer that question, but I will leave it
21 alone. I do have -- in searching through that, and I'm not
22 trying to trip you up or anything. I'm just trying to
23 understand what I'm looking at on a document versus what
24 you said earlier.

25 The document I'm looking at here, which is a 57-page

1 summary of the -- now, this is only question I have for
2 you, unless Art has something. It's an FD-1057, and I
3 believe it's a compilation of three 302s. This document
4 indicates that the interview that you took part in or
5 attended took place in the Washington Field Office
6 interview room. You had indicated earlier that it took
7 place at the lawyer's office. I'm just trying to sort out
8 the confusion or the difference.

9 [REDACTED] I have no recollection of that interview
10 occurring at that FBI -- at the Washington Field Office. I
11 recall it being in a conference room at this sub-source's
12 attorney's offices near Dupont Circle.

13 Mr. Somers. So you have -- you have no recollection
14 of it occurring at the Washington Field Office. I mean,
15 the only thing that would occur to me of why it would occur
16 at the Washington Field Office is just because they would
17 have a SCIF at the Washington Field Office. But your
18 recollection is -- and I'm not -- I have no reason, other
19 than I'm looking at the document, that notes that it
20 occurred in the -- I believe this is what this means to
21 say, is that occurred in the FBI Washington Field Office
22 interview room. That occurs on page 22 and page -- my copy
23 is really bad -- it looks like 40 -- for January 25th and
24 January 26th of 2017, but --

25 [REDACTED] I --

1 Mr. Somers. Go ahead. I'm sorry.

2 [REDACTED] Twenty-two and 40?

3 Mr. Somers. Yeah, 22. It says -- I think that's 22.

4 [REDACTED] Yeah, I see it. I can just tell you I
5 don't think that's accurate, but you can -- you could
6 correct me if I'm -- if I'm wrong on that.

7 Mr. Somers. Yeah, I'm just asking for your
8 recollection, and that's a -- do you have anything?

9 Mr. Baker. No, I was just going to say thank you for
10 appearing today, and thank you for your service at DOJ, and
11 thank your counsel, Mr. Poe, for coordinating your
12 appearance with the committee. Thank you.

13 Mr. Poe. Thank you.

14 Mr. Somers. Yeah, that's a -- you guys are -- I think
15 that's all. Thank you for coming -- well, for getting in
16 front of your computer and speaking with us this morning.
17 I think this worked out relatively well, although I don't
18 know I'd want to do it with a much longer interview. So
19 thank you, and thank you, Mr. Poe, for making your client
20 available.

21 Mr. Poe. Thank you, Mr. Somers. Thank you, Mr.
22 Baker. Thanks all.

23 [REDACTED] Appreciate it. Bye bye.

24 [Whereupon, at 12:02 p.m., the interview was
25 concluded.]

ERRATA

Notice Date:

Deposition Date:

Deponent:

Case Name:

Page:Line

Now Reads

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Notice Date:

Deposition Date: September 18, 2020

Deponent: Deputy Section Chief, CES

Case Name: Senate Judiciary Committee

Page:Line

Now Reads

Should Read

69:2 Do you have [To Ms. Zdeb] do you have

