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PROCEDINGS

Mr. Somers. Good morning. This is a transcribed interview of [redacted]. Chairman Graham requested this interview as part of an investigation by the Senate Judiciary Committee into matters related to the Justice Department and the Federal Bureau of Investigation's handling of the Crossfire Hurricane investigation, including the applications for and removals of a Foreign Intelligence Surveillance Act warrant on Carter Page.

Would the witness please state his name for the record?

The Witness. [redacted].

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 a majority chief investigative counsel for the Judiciary Committee. I will now ask everyone else who is here in the room to introduce themselves for the record, except for [redacted] personal counsel who we'll get to in a few moments.

I will start to my right with Art Baker.

Mr. Baker. Arthur Baker, senior investigative counsel, Senate Judiciary Committee,
majority staff.

Mr. Holmes. Lee Holmes, Chairman Graham's chief counsel.

Mr. Ventura. Christopher Ventura, associate counsel, Senate Judiciary Committee.

Ms. Waldon. Elliott Waldon, investigative counsel, Senate Judiciary Committee.


Ms. Zdeb. Sara Zdeb, senior counsel, Senate Judiciary, minority staff.

Mr. Haskell. Alex Haskell, counsel, Senate Judiciary, minority staff.

Ms. Calce. Christina Calce, counsel, Senate Judiciary, minority staff.

Ms. Sawyer. Heather Sawyer, Senator Feinstein's chief counsel.

EXAMINATION BY MAJORITY STAFF

BY MR. SOMERS:

Q. 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 the first hour, and then the minority will have the 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 the end of each hour of questioning, but if you would like to take a break apart from that, please let me know. We will also break for lunch at the appropriate point.

As I noted earlier, you are appearing today voluntarily. 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 response to all questions.

Do you understand that?

A. I do.

Q. 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 to
appear for transcribed interviews to freely consult
with counsel if they so choose. And you are appearing
today with counsel.

Mr. Somers. Would counsel please state
your name for the record.

Mr. Berger. Lawrence Berger, counsel for

Mr. Gruenstein. Benjamin Gruenstein, also
counsel for

BY MR. SOMERS:

Q. 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 answer to the question.

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

Do you understand that?

A. Yes, I do.

Q. This also applies to questions posed by congressional staff in interview.

Do you understand this?

A. Yes, I do.

Q. Witnesses who normally provide false testimony could be subject to criminal prosecution for perjury or for making false statements.

Do you understand this?

A. Yes, I do.

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

A. No.

Q. Finally, we ask that you not speak about what we discuss in this interview today with anyone who is outside the room in order to preserve the integrity of our investigation.

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

Mr. Berger. His answers will be to the
Mr. Somers. Yes.
Mr. Berger. Okay.

BY MR. SOMERS:

Q. It's now about 10:15 and we will get started with our first round of questions. Have you read or reviewed the IG’s report on the Crossfire Hurricane investigation?
A. I have.

Q. Just for the record, in that report you’re identified as handling agent 1?
A. Correct.

Q. Other than your attorney and the attorneys for the FBI that are present in the room here today, did you speak with anyone in preparation for today’s interview?
A. No.

Q. When did you retire from the FBI?
A. August of 2019.

Q. What was your position when you retired?
A. Supervisor -- supervisory special agent -- acting supervisory special agent out of the New York office.

Q. New York Field Office?
A. Yes.
Q. Did you have any particular section you supervised?

A. I ran the money laundering investigation.

Q. Okay. Then I think we kind of want to start this, you met Christopher Steele in 2010; is that correct?

A. Yes.

Q. What was your position at the FBI when you met Christopher Steele?

A. At that point, I was the supervisor of the Russian organized crime out of New York Field Office.

Q. Could you walk us through briefly, so from when you met Christopher Steele until you retired in 2019, what positions you held at the FBI.

A. So I was the supervisor of the Russian organized crime in New York from 2009 until late -- late 2009 until May of 2014, at which point I transferred to assistant legal attache in our office in the embassy in .

After that, I returned to the New York Field Office where I became a supervisory special agent of the money laundering investigation.

Q. And when was that?
A. That was August of 2017. And then I remained in that position until I retired in August of 2019.

Q. Could you tell us a little bit more about your position in [ ]? What were you responsible for in that position?

A. So I was responsible for, as were the other ALATs -- there were two or three ALATs and LEGAT -- responsible for representing the FBI to authorities' criminal national security and also private sector in terms of all the programs that the FBI engages in, which in [ ] were most of the programs from criminal to national security. My primary focus was criminal. However, all of us took part in various aspects of what the entire office did. At one point I supervised -- for about six months -- supervised the office.

Mr. Baker. What is the area of responsibility for the [ ]?

The Witness. It is [ ], and that is it.

Mr. Baker. Thank you.

BY MR. SOMERS:

Q. And could you tell us -- so the IG report indicates that you signed Christopher Steele up as
a -- formerly as a confidential human source when you switched over to your position as ALAT in [BLANK]. What necessitated you having Christopher Steele as a CHS in the ALAT position?

A. So when I actually received the position, I was told by the assistant director at the time that his goal was to have the attaches act as agents overseas and that they were promoting the development and handling of sources internationally, done obviously within policy and where we could do so. But to do that and proactively seek to handle sources.

Being that Christopher Steele, who was opened as a source originally while I was the supervisor of [BLANK] the Russian organized crime New York, being that he was in London and I was going to [BLANK], it would make sense from a logistical standpoint to open up him as a source while I was in Rome.

And let me just add. In addition, knowing that an important part of the mission [BLANK] was Russian organized crime, for [BLANK], it was a primary focus on their transnational organized crime program from their [BLANK] with whom we had a very good relationship [BLANK]. And then for us as well, transnational organized crime
primarily _, was a priority within the organized crime program for the FBI. provided us an opportunity to engage with very proactively in addressing that mission.

Q. Was there any pushback from like, say, the ALAT or the legal attache in London for you handling a source that was in -- not in country?

A. The answer is no.

BY MR. BAKER:

Q. Who was the assistant director that put that into motion?

A. It was -- was the assistant director at the time of IOD and his -- the IOD --

Q. IOD stands for what?

A. International operations division. Depending on the assistant director, the way they addressed the threats in the mission, you know, may go one way or another. And motivation was to be proactive in addressing the threat.

Q. Is it IOD that supports, for lack of a better word, the Legat program? What does IOD --

A. So the Legat program falls underneath IOD. IOD runs all of the LEGATs overseas.

Q. So you would report to someone in IOD in your responsibilities?
A. As an attache?

Q. As an attache?

A. I reported to the LEGAT, who was physically present [REDACTED] and then there was the IOD chain, that supervisor in -- country supervisor, unit chief, section chief, so on.

Q. So what would you report to the LEGAT and what would you report through the IOD chain?

A. My day-to-day business was reported through the LEGAT.

Q. Okay.

A. So the LEGAT, for all intents and purposes, the supervisor of the office. He was my direct supervisor. So everything I did went through the LEGAT.

Q. But would you also report certain things back to IOD that related to programs that the bureau would be interested in? Like you said Russian organized crime was big in your area of responsibility. Would that be reported back?

A. So the LEGAT was aware of what we were doing. And then, yes, there were desks here in Washington in IOD that would, I guess, work with their desks in other programs, whether it be national security or criminal in headquarters.
Q. Okay. I just to elaborate on the very last part there.

So if you funneled or reported some programmatic information back to IOD, then they could look at it, digest it, and figure out what division in the FBI it might be more appropriate to also see what you've reported back to IOD?

A. They could. But I also, and we also, dealt directly with the substantive desks of the actual program. So we dealt with -- for example, I dealt with criminal desks in transnational organized crime. The men and the women who were doing CT or CI were dealing directly with the CT or CI desks in the substantive units here in headquarters.

Q. So you as a legal attache or ALAT, you could directly call the counterintelligence desk or --

A. We could and we did regularly.

Q. Okay. And that would not be breaking the chain with IOD.

A. No, no.

Q. That would be encouraged to hotline the information?

A. Yes.

Q. Okay. When you would deal with IOD, did
you, at the ALAT level, deal with __________ or did you
deal with someone at a lower level --
   A. No.
   Q. -- or did it depend on what the topic was?
   A. I dealt with whoever the desk supervisor or
unit chief would have been at the time.
   Q. Do you recall who that was?
   A. I don't. They changed relatively often.
   Q. And that would be like a unit chief level?
   A. Supervisory or unit chief level.
   Q. Okay. So supervisory special agent or --
   A. Yes.
   Q. Unit chief. Okay. Thank you.

BY MR. SOMERS:
   Q. Did you ever -- I'm not asking who they
are -- but did you have other confidential human
sources while you were at ALAT?
   A. Yes.
   Q. How many approximately?
   A. I think a total of three, including Steele,
I think at one point.
   Q. What does it mean to be the handler of a
confidential human source?
   A. You are responsible for the administrative
handling of the source, the paperwork. Doing all the
appropriate checks, opening the source, doing the paperwork to open, and then dealing with the source and tasking the source and receiving information from the source. And then ensuring all the guidelines, AG guidelines are followed and that bureau policy is followed.

Q. When you receive information from a source, what do you do? How do you -- if you're not the guy that's going to investigate the information received from a source, how do you transmit that out?

A. So it depends. You may receive information that you know there might be an active investigation ongoing at that point and you will deal directly with the case agents possibly in the field office or the squad, wherever that may be.

Or if you don't know -- at times you'll receive information that -- source information varies from useful to completely useless and everywhere in between. It's your job to take the information in and get it into the system. If you are aware of an investigation, obviously, get it to that investigation and then push it through to the pipe -- through the pipeline.

Q. And how does it typically go? Is it more the source is coming to you with stuff or you're
reaching out? What's the typical --

A. Again, it depends. If I have a requirement or a request say that I know that a certain source is involved in a certain sector that I need information on, I will ask the source can you find out information about this? This is very general. So tasking the source. In which case the source may come back I found something or I don't have something or somewhere in between. Or at times sources will often show up and say I've got this for you.

Q. So a source comes to you with information, let's say, and you did -- it's someone in the New York Field Office, for instance, that would be the person that would want to investigate the source's information. What's your relationship and what's the relationship of the source to that agent in the New York Field Office?

A. So I am the -- as the source handler, I'm the go-between. If an agent -- if the source is providing useful information to the agent, first you have to determine what type of source is this. Is this source a witness in that investigation? If so, the source will no longer be a confidential human source. The source will become a witness and that agent -- case agent or case agents will deal directly with the source
and that confidential relationship is gone just by nature of the criminal organization. And I say criminal because I don't have much experience with the national security side.

Or, if that source is not a witness, but just in a position where he or she can provide information that is of value to the investigation, lead value, can answer some questions that -- you know, this source will not be a firsthand witness put on a witness stand, then the case agents will go through the source handler and say, hey, we have some questions. Can you get these to your source? Or they may say can we meet your source and sit down with your source and flesh out some questions.

Q. So you had -- and I don't want to get too in detail -- but you did have a meeting in October with case agents and Christopher Steele directly. Had you had -- had he had meetings previous to that meeting on other cases with -- directly with agents?

A. Not --

Mr. Gruenstein. October '16.

BY MR. SOMERS:

Q. October of '16.

A. October of '16, we had a meeting with the Crossfire Hurricane agents?
Q. Yes.
A. Not before with the Crossfire Hurricane --
Q. Just in general.
A. He had met other agents [BLANK]. And other
agents in the LEGAT's office to talk about other
matters unrelated.
Q. Was that typical for other sources you
handled as well?
A. Yes. It was also -- I was fully aware that
depending on the source, depending on the information,
depending on the investigation, there was always a
possibility that if the source's information was that
good or direct, the actual case agents who were running
that investigation would need to then handle the
source. And that relationship then would be
established.

Particularly on a very -- on a large or
important or sensitive investigation, if the source has
particularly useful information, the handler who is
just the handler, not involved in the investigation, is
then, for lack of a better term, cut out and that
source then has a relationship with that team.
Q. For that investigation. You could still
handle him for --
A. At that point then, it would just be -- you
know, once they're with that team, then that's it.

BY MR. BAKER:

Q. Would they be officially transferred over administratively to the new agent?

A. So in my experience, yes. And, again, in those instances, more often than not, it was the source who would then become a witness in the investigation. So then the natural course of investigation and a witness would just take place and that would be it.

BY MR. SOMERS:

Q. Is that more -- is that common or is that more not the norm?

A. It's not that it's not the norm. It's normal, but it's not common. Because that generally happens if you've got a source with really good information who's very well placed and at the same time a very important investigation that's going on.

Q. Would you ever, as a case agent or -- I'm sorry, a handling agent -- let me back up.

Are you required as an investigator, as a special agent, are you required as part of your evaluations, your considerations for promotions or whatever, are you required to have sources?

A. In terms of promotions, no. In terms of evaluations, this is one of the things where, you know,
it depends -- in 24 years at the bureau, that question was up and down. One year, yeah, everybody has to have a source. Next year, it's not about the quantity of sources, it's the quality of sources.

So objectively, they didn't use your source base to determine promotional opportunities.

Q. Would there ever be a reluctance from a handling agent, if you had a really good source, one of these ones that you're talking about that is spot on for somebody else's case --

A. Right.

Q. -- but you have taken the effort to cultivate and do the administration and you've got a really good source.

A. Right.

Q. Is there ever a reluctance to do that transfer over?

A. Well, there's always --

Mr. Speaker, if you're asking him about his personal knowledge of it? Sure. If you're asking about --

Mr. Baker. Personal knowledge.

-- general reluctance from the other agent population?

Mr. Baker. No.
Mr. Baker. He's indicated he has 24 years experience. I'd like to tap into that. Your experience.

The Witness. So my personal experience as a source handler, personally, if you're developing a good source, you've done just that. You've done a lot of work to get that to that point, we're now running a good source who provides good information. And that's what it's about as an agent or the source handler is getting quality intelligence and information so the bureau can do what it's supposed to do.

You don't want to give up a good source. However, I always recognized that there would be that opportunity or possibility if it arose. And so be it. That's just the way it goes. You know, that's my personal attitude about it is if it is -- the source is that good, there may be someone out there that has something going on that is important enough where that source now becomes somebody else's source. I recognize that and, you know, my attitude was if it happens, it happens.

BY MR. BAKER:

Q. Would it be fair to say during the course of your career you open and close a lot of sources that
1 don't really pan out when you initially open them to
2 really provide much of anything and that's more common
3 than the one that we've just talked about that you
4 really want to keep because they're really providing
5 information that's of interest to the FBI?
6 A. You open more sources that you wish you
7 never opened than you do ones you hope you never have
8 to give up.
9 Q. And is it fair to say there's a lot of
10 administrative work that is time consuming managing a
11 portfolio of sources of whatever quality?
12 A. 100 percent yes.
13 Q. Thank you.
14 BY MR. SOMERS:
15 Q. You mentioned a few moments ago that you
16 didn't have much experience in national security cases,
17 I think. Had you ever worked on a case before where a
18 FISA was involved?
19 A. The only time before this was after 9/11, I
20 had an informant who had information that was utilized
21 to support a FISA out of one of the field offices. I
22 was in New York at the time. I think the FISA
23 was -- and I'd be guessing if I told you where I was.
24 But that was the only other time. And all that was was
25 dealing with the case agent to get some questions
answered, provide some information, and get it to the case agent.

Q. You said informant. Just to be clear, was that a confidential human source or was that less than a confidential --

A. At that point, it was CI or CW. CHS, confidential human source, is -- it's not relatively new, but it was a different designation. I forget what year they changed it.

Q. But equivalent of Christopher Steele?

A. Same thing.

Q. And did you review information in that FISA application?

A. No.

Q. Did you provide a source description?

A. Yes.

Q. Characterization statement?

A. Yes.

Q. Did you review that before it was submitted?

A. I reviewed it before I sent it out to Arizona -- not Arizona. I forget where it was again. But, yes. Wherever -- they ask, tell us about your source. And what's the information. We get the information and then give us a general statement about
the source.

Mr. Baker. When you say they ask --

The Witness. When I say "they," the case agents who were preparing the FISA. Now, I don't -- I never reviewed a FISA. I don't know if they actually used that information in the FISA. I have no idea. But that was the only time I have any kind of experience with another FISA.

BY MR. SOMERS:

Q. Did you understand that to be a requirement when you submitted that source --

A. The source characterization --

Q. -- source characterization statement?

A. Yes. I say that because I have experience doing them as wiretaps and utilizing source information wiretaps and understanding that the application process requires when you're talking about and using source information characterizing your source. You have to.

BY MR. BAKER:

Q. The people you provided the source characterization to, did they use what you provided verbatim or did you subsequently learn that it was changed?

A. This is back in 2001?

Q. Yes.
A. I don't know what they did with it. And that's what I'm saying, I don't know ultimately if they used it or not. I had some initial conversations about the information, getting them the information, a little bit about the source. Okay. And that was it. So I don't know what happened after that. I couldn't tell you.

Q. And later in time --

A. Later in time, I never learned what had happened.

Q. Okay.

BY MR. SOMERS:

Q. You don't even know if they used the source information in the FISA?

A. I don't.

Q. Have you ever been involved -- the Crossfire Hurricane case was designated as a sensitive investigative matters. Have you been involved in any other SIMs in your career?

A. Only involved -- well, personally as a case agent? No.

Q. As an ALAT?

A. As an ALAT, no. As a supervisor prior to retiring, we -- and I won't get into the case, but it was completely unrelated. The case was designated as a
SIM off of my squad.

BY MR. BAKER:

Q. And for the record, SIM stands for what?
   A. Sensitive investigative matter. There are particular categories of cases or subjects that fall under the DOJ DIOG policy that they have to be characterized.

   Q. So there's something about the case that makes it sensitive?
   A. Something about the case or the subject.

   Q. And DIOG is what for the record?
   A. Well, that's the DOJ guidelines as to running investigations.

BY MR. SOMERS:

Q. So according to the IG report, and I think you've acknowledged you met Christopher Steele in 2010, and then you opened him formally as a confidential human source in 2013?
   A. Right.

   Q. What was the relationship between 2010 and 2013?
   A. It was informal. We spoke a couple of times, met a couple of times. During that time after -- in 2009, I was assigned to the Russian OC with the intent of engaging and developing higher
level cases more, sophisticated cases that Eurasian
organized crime groups were involved in. Transnational
money laundering fraud, much more sophisticated frauds
than at the time had been doing.

With that was developing sources to tap
into the levels of criminals who were doing that.
Russian and Eurasian oligarchs, businessmen,
international businessmen who worked with these
individuals. And so I met Christopher Steele, I was
introduced to him by Bruce Ohr, who at the time was
here at was at DOJ as the transnational organized
crime -- I forget what his exact title was. But he was
the czar, for lack of a better word, for transnational
organized crime. And he contacted and said I have an
individual who you should meet who can probably tap
into some information that you guys are hoping to
develop or could develop.

So I met him in, I think, April of 2010.
That was the first time. Before -- from 2010 to 2013,
I spoke to him a couple of times. I traveled to London
a number of times with agents on the squad and
sometimes prosecutors for other invest -- for
investigations. And then at times, not every time, but
a couple of times when I was there we would meet, talk.
He provided information voluntarily to us once in a
while without being tasked.

In 2013 -- he had also in 2010, one of the times we were there, introduced myself and another agent and Bruce Ohr to at least one, possibly two individuals who provided information regarding the FIFA investigation, which was not -- there was no investigation at that point. But provided information regarding corruption within the highest levels of FIFA, including an individual who was based in New York City. That -- those introductions were the precursor and actually for us gave us the information that we needed to start the FIFA investigation.

Q. Is there a -- I'm just trying to probe a little bit the difference between him -- kind of the informal relationship, the formal relationship. For instance, could you task him while he was in the informal relationship or he did he have to be a CHS to be tasked?

A. Well, you can ask questions of anybody, but he was not being officially tasked. He knew what our interests were. His motivation was twofold. You know, he had started recently -- and I'm not sure exactly when -- a corporate intelligence firm, which he -- which was focused on Eurasian businessmen and companies. And in the course of that, he had
information regarding Eurasian organized crime that, as he related to me, his prior service wasn't interested in it. He didn't want to engage with the agency. And it was useful and he wanted to have somebody see it and if they could use it, great.

The second motivation to engage with us was financial, hoping to get paid for information that we would task him to try and find out about.

Q. Was there any motivation that the relationship with the FBI could help his private business?
A. That was not discussed. No.

Q. So you never got the impression that he was -- you know, wanted to be an FBI CHS or have a relationship with the FBI in order to drum up business in any way for Orbis?
A. I never got the impression or understanding or belief that he would use the relationship with the FBI to help his private side of business. And that was never related to me. If it was a motivation, he kept it quiet.

My understanding -- and this is what I believed -- was, again, twofold motivation. One was to give information to a group that would actually use the information because it was good information, and then
two, to get paid for information.

Q. Did he ever request that you connect him with anybody that might help his private business?
A. No.

Q. To the best of your knowledge, was -- do you know whether any Christopher Steele information was used in a FISA prior to the Crossfire Hurricane investigation?
A. If it was, I have no idea.

Q. Do you have any idea whether any of this information was used in a court filing prior to --
A. It was not.

Q. It was not? When was the last time you had contact with Christopher Steele?
A. It would have been November 1st or 2nd of 2016. Or 3rd.

Q. What was the form of that contact? Was that phone, e-mail?
A. It was phone, over the phone. I received an e-mail early in the morning one of those days. I was in -- this was '16 -- I was [REDACTED] and there was an e-mail from one of the agents involved in the Crossfire Hurricane case who had a link to an article saying did you see this? So I had not. It was the Mother Jones article that was published, again, that
weekend, whenever -- right after -- it was either October 31st, November 1st whatever that was. So I read it.

In that article it was an individual talking about the very information that was contained in the reports and that this information was provided to the FBI in support of their investigation.

It didn't name Christopher Steele, but it was obvious that that was Christopher Steele. I read that. My first reaction was to reach out to Christopher Steele. And I don't know if I spoke to him that day. If not, it was the very next day. And I got him on the phone and I said did you see this article? Yes. My first question was, was that you? Meaning were you the source for that article? Yes, I was. At which point then it just -- everything changed. And that was the last conversation I ever had.

Q. Did you determine or close him or whatever word we want to use on that phone call?

A. So on that phone call, I said this changes everything. I said we're not going to be able to go forward from here on out. And I told him specifically you're not to collect any information on behalf of the FBI.

So in terms of the relationship, my
dealings with him, that was the last I've ever dealt
with him, that's the last I ever spoke to him. He was
closed administratively, meaning with the paperwork,
maybe -- I want to say two weeks later, possibly.

Q. But there was no follow-up, yeah, you are
closed? That was it?

A. That's the last time I spoke to him.

Q. Has he tried to reach out to you since
then?

A. No, he has not.

BY MR. BAKER:

Q. I want to back up just one second. Your
opinion, your experience, you indicated you have 24
years in the FBI. My guess, I could be totally wrong
on this, my guess is you don't just raise your hand to
be an ALAT or a LEGAT and they send you on your way.
I'm guessing you have broad-based program experience,
you're a self-starter, you're motivated, you're all the
things that they're going to want to put somebody over
in a foreign country representing the FBI. Do you

Q. Okay. What was your opinion on Steele as a
source before we get to IG reports and metrics from
headquarters and measurements and all that. Just your
street sense, source to keep around?

A. Without a doubt. Productive, providing high-level information that we did not -- you know, for us, in terms of Russian organized crime, tied in with oligarchs, tied in with international businessmen, we did not have many sources who could provide information in that field, in that universe. He did.

Some of his information was corroborated by other sources. The FIFA information he provided and some of the specifics was corroborated by two or three other sources unrelated to him whatsoever. Some of the other information -- you know, the information I received from him I would send primarily to either the New York Field Office and/or the transnational organized crime desk in headquarters. And analysts would review it and at times I would get feedback, some other agency said this is very good information, can you follow up. Once we got an e-mail about -- I forget what the subject matter was -- but, hey, this is corroborated by other stuff.

So, in terms of source, up until this all happened in the summer and fall of 2016, I viewed him as a productive professional source. In handling him, easier than most because he is a former intelligence professional who had done this himself. And if you've
handled sources, you understand that a lot of it can be
aggravating on an interpersonal level. This was not.
Up until that summer and fall, I had no indication that
he was anything other than professional and productive.

Q. And I'm assuming -- correct me if I'm
wrong -- that a subset of being productive is you never
had occasion to think he embellished, he was false
reporting. Again, without regards to any metrics
downstream --

A. Right.

Q. -- you, as the handling agent, had no
reason to question any of his reporting?

A. None whatsoever. Now, you take a source's
information, it doesn't matter who it is, always with
more than a grain of salt because it's source
information. Unless it's corroborated, it's just that.
It's source information.

You know, my background is criminal
investigations. To use a source's information, it's
great lead and it's good reading, great lead value.
But to use it criminally in an investigation it has to
be corroborated by other independent means; Otherwise
it's just that, it's just a reading and that's it.

So at times, you know, any source, you
understand that the source is providing information.
You do not take it for face value, ever. It's just
a -- you know, that's just a basic source handling
tenet. But with him again, nothing up until this whole
thing went bad in 2016 was there any reason to believe
that he was anything other than professional and
productive.

Q. Thank you.

BY MR. SOMERS:

Q. In the 2016 election material, Steele had
the primary subsource and lots of subsources beyond
that. In -- leaving that investigation aside for a
second, in previous dealings with him, was that a
typical arrangement where he had a primary source and
other subsources?

A. Well, it was known from the beginning. And
when we first met, he had a prior network of sources
and subsources back in Russia and wherever else.
That's where he -- he wasn't getting the information
firsthand. He had his former network of sources and
subsources who -- some of whom were still in place that
he relied upon. That's where the information was
coming from.

BY MR. BAKER:

Q. Is that common when handling a source, that
a source might have subsources?
A.    Right.

BY MR. SOMERS:

Q.    Did you ever speak to anyone else, for instance, from the British government about Steele's subsource network?

A.    Me personally?  No.

Q.    Did you speak with anyone in the British government about Steele's reliability, his work ethic, anything along those lines?

A.    I've never spoken with anyone in the British government about Steele.

Q.    What type of feedback did you get from people about Steele, about his work ethic, about who he was?

A.    In terms of?

Q.    From like former clients maybe.

A.    So -- well, Bruce Ohr was the first to introduce us.  Bruce had known him and met him a couple of years before at a conference somewhere.  You know, his background in terms of where he came from and what his prior activities were, you know, provides a certain level of kind of credibility to the individual before you engage.  Particularly in that you're talking with this service, the British services and their closeness to us and obviously their competence, level of
competence. Going in, it's not like developing a guy off the street. There's a different level you start off at.

Q. Did you have any verification like that he wasn't fired from the British government or anything like that?

I think that gets pretty close to the line of something that's still officially classified, talking about Mr. Steele's actual relationship with any foreign service. We can just stay away from the actual country of origin, please.

Mr. Somers. Okay.

Thank you.

The Witness. So, again, I've never spoken to --

Mr. Berger. Well, hold on. Let him rephrase the question.

BY MR. SOMERS:

Q. As you read the IG report and you get the impression that a lot of people thought that Steele was reliable, credible, had a position in a foreign -- friendly foreign government. I'm just wondering what sort of verification you had in terms of his -- what his relationship, how his relationship ended with that government.
A. My understanding, as related to me by him and by Bruce Ohr, is that he retired in very good standing and at a very high level and that he opened his own corporate intelligence firm.

I met one of his clients. He at one point had been engaged to do work -- before he was opened -- with the [redacted]. And their lead there -- I had a conversation with him about Steele, who said he was -- the work he provided was top notch, that it was reliable and competent and professional.

Q. What was Bruce Ohr's relationship with Steele after you officially opened him as a confidential human source?

A. So he continued the relationship. Steele had relationships I know here in Washington in Department of State and DOJ with Bruce or DOJ with Jonathan Wiener -- I'm not sure who else -- on a policy level. And it was understood that he would continue to speak with them and that their conversations were on a higher policy level as opposed to providing specific information.

BY MR. BAKER:

Q. So that didn't create any problems for you that you're now handling an agent, but you have somebody else also?
A. It's because of the uniqueness of the individual, the information we were getting and his access and also relationships that he still had, it was understood.

At a certain point after he was opened, he was advised that, you know, information that the FBI was paying for, that we tasked him for and that he returned a product for to us was not to be provided to anybody else, and that we would process it and filter it through the IC, however else.

Q. Is this the pipeline one, pipeline two?
A. No.

BY MR. SOMERS:

Q. When you say it wasn't to be provided to anyone else, does that include Bruce Ohr?
A. Yes.

Q. If you paid him for information --
A. Yes.

Q. -- and Jonathan Wiener in the State Department --
A. Sorry.

Q. So if you tasked him and paid for information, that was to go through you?
A. Yes.

Q. Did you have any concerns about his ongoing
relationship with Ohr or Wiener?

    A.   I did not. Just because of the nature
of -- first of all, I was introduced to him by Ohr and
I know they had a relationship, and it didn't affect
what we were doing in terms of what we were tasking him
to do. It was, you know, kind of a different -- I
don't want to say different animal, but at a much
different level.

    Q.   And so tasking is when a payment would go
to Christopher Steele; is that correct?

    A.   Not every time. No.

    Q.   Not every time. So you tasked --

    A.   Not at all. So the agreement was we would
pay him for information that was deemed of value and it
was never guaranteed. But it would be in response to
if we tasked him to go into motion and collect
information, then we would see if we could get him
compensated.

    Q.   If he came to you with valuable information
that he wasn't tasked with, could he be paid for that?

    A.   He was actually. The example, the FIFA
introductions that he made. You know, because of the
introductions he made, we opened the investigation.
Because of that investigation by December of 2013, we
had charged and pled out four cooperating witnesses
under seal who had agreed to, I think, probably an aggregate of 10 to 15 million in forfeiture before anybody even knew what was going on.

Q. And Steele was never paid for his work on Crossfire Hurricane?

A. No. Definitely not.

Q. He expected to be paid though?

A. The only expectation that was -- or the only offer that was given to him was given by the Crossfire Hurricane team of $15,000 for his time to come to meet with the team on October 3rd. He was offered, if the relationship continues and he agreed to the framework of an agreement that the Crossfire Hurricane team defined, he was then offered payments in the future. But he was never paid anything for any work he did on that investigation.

And the $15,000, that was another thing in that last conversation that I had with him, I said you're not getting paid. So he didn't get paid.

Q. Just back to this a minute. Kind of what I was asking you before. Did you do anything to validate Steele? Any run through the validation management unit?

A. Well, the process is you have to run the record checks, you run through LSHA, you run through
criminal histories and that's what I did.

Q. Do you think you did less to validate Steele because of who he was than you might have some of your other confidential human sources?

A. Absolutely not.

BY MR. BAKER:

Q. How was the value of what a source provides calculated for terms of compensation?

A. It's a very subjective thing. There's no set -- if it's changed since I left, I don't know. But as long as I was there, it was never a set kind of matrix to go by. If the information was valuable to me, you know, """" """

There are metrics to judge the success of a source or the quality of a source. The case is opened, dissemination is made, affidavit are prepared, complaints and arrests. But there's no monetary value tied to any of that. It's all very subjective.

Mr. Berger. Can I go off the record for a moment?

(Recess.)

The Witness. So just one clarification. You bring up validation? The validation process is
different than the opening process. The validation
process --

Mr. Berger. Hold on.

The source validation techniques
are classified. I don't want to get into that.

The Witness. I'm just trying to
distinguish between opening a source and what we did.

Mr. Berger. Speaking generally about the
process? He's not going to talk About techniques.
We'll keep an eye on that.

The Witness. In terms of opening Steele as
a source, everything is followed to the book. And I
don't want that confused with validation of Steele,
which is something completely different.

BY MR. SOMERS:

Q. Is validation an ongoing process or ongoing
as you have a confidential human source open, you
continue to validate?

A. Validate.

Mr. Berger. I think you're using
validation as a term of art and so we have to be
careful about and have an understanding -- a common
understanding of what we mean by validation. I don't
want to trespass any boundaries, but validation
is -- is a coherent integral process that is separate
from anything that this gentleman is talking about.

So we have to make that clear and clarify that for the record to make sure, because that's an issue that goes to the very heart of this matter. So let's be clear about definitions about what we mean by the validation process. Maybe we can define that so that we have a sense of common understanding.

Mr. Somers. Yeah. I don't mean to get technical. I just want to understand that you continually evaluate the reliability, credibility, work ethic of your sources as the relationship goes on.

The Witness. Yes.

Mr. Berger. Which is separate from the validation component of the bureau.

BY MR. SOMERS:

Q. Did you ever have any discussions with Steele about any of his other clients, who they were?

A. I knew he had done work for [REDACTED]. But in terms of other specific clients, no, I didn't ask him and he didn't provide --

Q. He didn't provide information on that. In the IG report, it says, "Handling agent 1" --

A. I'm sorry, let me interrupt. I take that back. I do know that he did work for the London 2012, the big committee for FIFA to try and get the World Cup
to London. I know he did work for them.

Q. Let me just read you this quote. "From handling agent 1 said he expected Steele to alert him if any of the clients were 'bad actors' such as organized crime figures or others that would be a concern to the FBI. Handling agent 1 stated Steele never provided any such notification to him."

So you did have some conversation with him about, hey, what are you doing? Did that refer to his private business?

A. Correct.

Q. And you wanted to make sure that he wasn't providing -- let me back up a second. Steele also provided you with information that he gained from his private business?

A. Correct.

Q. And that question went to the quote I just read you, whether he had a criminal, for instance, as a private client and you wanted to ensure that information gained from a criminal and funneled into the FBI, is that the genesis of that comment?

A. Can you read that again?

Q. "Handling agent 1 said he expected Steele to alert him if any other clients were 'bad actors' such as organized crime figures or others that would be
of concern to the FBI. Handling agent 1 stated that Steele never provided any such notification to him."

A. That was in terms of evaluating the source and the source's information to understand where it was coming from. Particularly in situations if he was providing information from a client who was, say, in a criminal -- in an investigation of the FBI. That's a problem. So it was in regards to just having a full understanding or attempting to have an understanding of where the information was coming from, who was providing it.

Q. Did you ever discuss Oleg Deripaska with Steele?

A. Yes.

BY MR. SOMERS:

Q. What was the discussion about Oleg Deripaska?

A. He was endeavoring to try and get us to meet with Oleg Deripaska. Part of what we did, we, the
bureau, was meeting with or setting up meetings and conducting meetings with oligarchs to try and see if they would be cooperative, provide information, help with ongoing investigations or provide any type of intelligence.

So that was an ongoing effort within the

And one of the individuals he was trying to set up a meeting with was Deripaska.

Q. Was Deripaska a client of Steele's?
A. Not as far as I know. I knew that Steele had a relationship from, I think, a prior case or prior business deal with Deripaska's attorney. I forget his name.

Q. Why exactly did you close Steele as a source? I know the Mother Jones article, but what about that?
A. It told me that he was completely untrustworthy at that point as a source and could not be handled and would not be reliable. Not that his information or the intelligence he provided was bad. But that as a source, I wasn't going to handle him.

Q. Who alerted you to the Mother Jones article again?
A. It was the supervisor special agent in
headquarters.

Q. Is that SSA-1?
A. I'm not sure. I don't know who SSA-1 --
Q. Was it [REDACTED]?
[REDACTED]. Which is not -- it's actually not
[REDACTED]. He's not going to be able to --

Mr. Somers. Is there a way you can inform
him who SSA-1 is so I can ask him if SSA-1 is who gave
him the -- or maybe it's an adjure point. I don't need
to ask the question. I'm just trying to --
[REDACTED]. Let me step back for one second.

Mr. Somers. Yeah. Can you just tell him
who SSA-1 is and I can ask him if SSA-1 is who provided
him the Mother Jones article?
[REDACTED]. Yeah. Let's step back and have a
conversation.

Mr. Somers. Okay.

(Pause in the proceedings.)

BY MR. SOMERS:
Q. Did SSA-1 provide you with the Mother Jones
article?
A. Yes.
Q. What was Steele's reaction to you closing
him as a source or letting him know you were probably
going to close him as a source?
A. He was frankly more upset. And his explanation as to why he went to the press was really what was driving him at that point. So I asked him was this you? He said, yes, it was. And I said why would you do this? His response was, and -- it's quoted in the report that I did to the file. I just -- I'm paraphrasing, so if it's not exactly correct --

Q. Yeah.

A. I'm very upset with what your organization did last week, something like that. And, again, basically referring to Director Comey coming out publicly on that prior Friday or Thursday stating that he was reopening the server investigation going on.

Q. Was he upset that he was not going to be a confidential human source anymore?

A. He wasn't upset about that. He was more upset that that action by Director Comey and, in his eyes, the FBI in general would then sway the election.

BY MR. BAKER:

Q. Is part of that that he thought Director Comey was getting attention and that he felt his reporting was not getting appropriate attention?

A. I don't know. But all I can say is I asked him, look, are you upset because you haven't gotten the 15,000, they money yet? He said no, that isn't it.
It's because of what your organization or what Director Comey did on Friday, which was coming out publicly and it was about the fact that that would sway things one way or the other.

He was not upset about when -- when I said we're not going to be forward after this, he didn't respond to that.

BY MR. SOMERS:

Q. Were you aware that Bruce Ohr was still talking to Steele after you closed him as a source?

A. I didn't become aware until months later in the press. I didn't know personally, no.

Q. In terms of what it means to close someone as a source, do you think it was problematic that Bruce Ohr was continuing to engage with him?

A. There are very specific rules and guidelines to follow to recontact a closed source. What Bruce and others did to do to speak to him or didn't do, I have no idea.

Me personally, I know that if I needed to contact Steele again, there was a whole list of things and people's approvals I would need to go through to get before I could even recontact him. I had no intention of doing that and I don't know what they did or didn't do.
BY MR. BAKER:

Q. So when he's closed -- and back up just a step -- he is actually fully opened as a source the way -- without getting into the individual steps, he's open as a source the way anybody else would be.

A. You mean up until the point when he's closed.

Q. Up until the point when he's closed.

A. Yes.

Q. There's no question in your mind that he's open as a source.

A. Hundred percent.

Q. All the I's are dotted, the Ts are crossed. Everything that's done with the source was done with Christopher Steele.

A. Hundred percent.

BY MR. SOMERS:

Q. What was your understanding of Bruce Ohr's role in Crossfire Hurricane?

A. I don't have one. I don't know.

Q. I mean, Bruce Ohr contacted you how many times about Crossfire Hurricane or about Steele's election reporting?

A. So I received the reporting from Steele on July 5th. I get a phone call from Bruce Ohr at some
point early to mid August of 2016. I had not spoken to Bruce about this. I -- Bruce -- I didn't tell Bruce I was going to London. It was not my -- whenever I visited Steele, I didn't tell Bruce. That was not a process. I didn't talk to him about it.

I get a call from Bruce early to mid-August and he says, hey, did you see this stuff from Chris? I had no idea that -- at that point obviously -- now I know Steele and Bruce had spoken about this, but I had no inkling from Steele or from anybody that they had met and talked about it.

I was not going to engage in a phone call about this information with Bruce Ohr. There were efforts ongoing to get that information or the information was at FBI headquarters as far as I knew and then to get it to where it had to go. I wasn't going to talk to Bruce Ohr about it. In addition, on a cell phone overseas I'm certainly not going to talk to Bruce Ohr about it.

But he says me and my boss or me and my bosses want to make sure that this is being handled. So at that point, obviously, it's Bruce and his boss or somebody higher are aware of this information that Steele reported. My response was, and this is what I had been told at that point, is that there is a team at
headquarters looking into it. And I said, Bruce, as far as I understand, there's a team or a group at headquarters who are looking into this. And that was it. That's all I said. And then that was the extent of the phone call. Because it was something like, okay, good. And that was it.

And then -- so I spoke to him. That was the only time I spoke to him about this. Other than after I spoke to Christopher Steele in early November to tell him we wouldn't be going forward, I called Bruce, knowing that Bruce has a relationship, not knowing that Bruce is involved in terms of any Crossfire Hurricane or anything regarding this information. But just knowing he had a relationship, I said, Bruce, this article in Mother Jones, have you seen it? And he goes no. I either sent it to him or I told him to look it up. And I said you need to know going forward we're not going -- we're not working with him. I'm not going to talk to him again and you have to be careful when you talk to him. And that was it.

Q. Backing up. Based on that August conversation, did it or would it surprise you to learn that Bruce Ohr didn't inform his bosses about Crossfire Hurricane and his involvement in it?

A. At this point -- yes, it would surprise me.
He told me, me and my boss or me and my bosses. So I assumed at the time that his boss or bosses were aware.

Q. And then based on your -- backing up to your second conversation with Ohr. Are you surprised that Ohr kept speaking with Steele after you had that conversation with him?

A. Personally, yes, I'm surprised. I spoke to him again the last -- one additional time. It was the day after the election here in Washington. I was here in Washington with an [REDACTED]. But I saw Bruce somewhere close to FBI headquarters after work. And he had come in and he said something to the effect of I didn't realize -- you know, at this point, this is when everything had started to, I guess, break bad. He goes I didn't realize that when you called me about the article, I didn't realize the extent of it. And then he apologizes for introducing me to Christopher Steele.

Q. When was that?

A. The day after the election. November 2016, whatever that was. 8th, 9th. Maybe earlier.

Q. Any impression as to why he apologized to you?

A. Well, no. I was -- he said that -- I go -- I looked at him. I said first -- well, because I think he -- he finally -- it's my opinion -- understood
the gravity of the whole situation, I guess, at that point. I don't know.

BY MR. BAKER:

Q. So a fair read of that apology would be apologizing for all the headaches it probably caused you, not apologizing that he regretted giving it to you, because somebody else would have handled him better?

A. No, no. Exactly. Apologizing because of all the headaches that were about to happen and had happened to that point.

Q. Thank you.

BY MR. SOMERS:

Q. I'll just try and read this to you. On page 291 of IG report, it states that on November 23rd, 2016 Crossfire Hurricane update meeting, there was a discussion concerning a 'strategy' for engagement with handling agent 1 and Ohr.

Were you ever consulted after you closed Steele by others at the FBI about continuing to engage with Steele?

A. Not once.

Q. No one on the Crossfire Hurricane team reached back out to you and said, hey, can you --

A. No.
Q. --- engage with Steele again?

A. Nope.

Mr. Berger. Just let him finish.

The Witness. Sorry.

BY MR. SOMERS:

Q. Do you happen to know Bruce Ohr's wife Nellie?

A. No.

Q. Okay. When did you become aware that the FBI had opened a formal investigation, Crossfire Hurricane?

A. So in August at some point I was told by people out of the New York office that there might be a group of people who needed to see or wanted to see the information this reporting that I had received in July. I didn't officially learn of this until the middle of September when I received word from SSA-1 to send him the reporting that I had received from Steele.

Q. What was -- what caused you to travel to London on July 5th to meet with Steele versus just talking to him on the phone or saying, hey, e-mail me what you want to give me?

A. Right. So he was not prone to -- I don't want to say panic, but to being hurried or rushed or trying to meet immediately as many sources do, saying
we have to meet now, we have to meet now. He was not that type.

I received a call from him, it was either the 3rd or the 4th of July just out of the blue saying we need to meet. Okay. It's 4th of July. Everybody's out. No, it has to be now. He had never said that before, ever. I said okay. Taking him seriously, I traveled up there.

Q. Did you need anyone's permission to do that or were you able to just get on a plane?
A. Just needed LEGAT's permission. That's it.

Q. Did you need to talk to anyone in London before you were able to --
A. And then advise the ALAT that I was going to be in the AOR.

Q. Just because there's some reporting in the press about this, did you have to consult Victoria Nuland?
A. I don't even know -- I know who she is. I've never spoken to her.

Q. Never spoken to her about Steele?
A. No.

Q. So Steele gives you one report at the July 5th meeting?
A. I think it was -- I think it was two, if I
recall correctly.

Q. Two -- according to the IG report, I believe he gave you one report about Crossfire Hurricane. He may have given you some reports about something else at that July 5th meeting?

A. I recall two physical reports. In terms of the election reporting, it was just the one, the first initial that he had developed.

Q. Did that report, format-wise, the way it was written, whatever, did that look like something Steele had given to you in the past? Was this a typical Steele report?

A. Yes.

Q. Did it have any warning about it being raw intelligence?

A. Without seeing the actual report in front of me?

Q. Yeah.

A. It wouldn't -- I mean, I've seen that before.

Q. The one that's publicly available, it doesn't say -- I don't know if you have one that's different than that. The one that BuzzFeed published does not say that.

A. I don't know. I know I have seen the term
"raw intelligence" before.

Q. Leaving that aside, would you treat it as raw intelligence?

A. Without a doubt.

Q. What does that mean to you?

A. That it is just that, uncorroborated, unverified reporting coming from unsubstantiated sources. And when we spoke about it at that meeting, we talked about that, how it was unverified and for this to have any value, it's got to be corroborated.

Q. So that would be consistent with -- on page 381 of the IG report said, "Steele told us that it was his hope and expectation that the FBI would have used its resources to investigate the report" -- "the report information."

I mean, is that your impression that this needed to be further investigated?

A. Without a doubt.

Q. So my time is almost up here.

You wouldn't have used the -- that report or any information in it in a FISA application without doing any further verification?

A. Me personally?

Q. Yeah.

A. You can't use one source's reporting as the
basis for an application, I mean, in this case, a FISA court. But in my experience, wiretap, you can't use one single source. It has to be corroborated.

Mr. Somers. Our hour is up. So we'll turn it over to the minority. Thank you.

We can take a five-minute break if you want to. Up to you.

Mr. Berger. No. I think that we'd like to work through all the way.

Mr. Somers: It's up to them.

(Recess.)

Ms. Zdeb. So it is 11:36 and we are back on the record.

EXAMINATION BY MINORITY STAFF

BY MS. ZDEB:

Q. I'm Sara Zdeb with the minority staff. You've met my colleagues, Ms. Sawyer, Mr. Haskell, Ms. Calce. We are going to ask you some additional questions. The same basic ground rules that Mr. Somers explained at the outset apply to our questions.

So as you know very well by now, please speak up so the court reporter can hear. If you don't understand one of my questions, just ask me to clarify it.
A. Okay.

Q. So you indicated at the outset that you had reviewed the Inspector General's report; is that correct?

A. Yes.

Q. And so you know that the Inspector General took approximately two years to conduct an investigation. He interviewed approximately 100 witnesses, reviewed over a million documents in the course of his investigation. He interviewed Christopher Steele as well as other former employees, current employees of the FBI.

Did you cooperate with the Inspector General's investigation?

A. Yes, I did.

Q. Were you interviewed by the Inspector General?

A. Not by the Inspector General himself, but by his team.

Q. So if I use the term "Office of Inspector General" or "OIG," you'll understand what I'm talking about?

A. Yes.

Q. So you were interviewed by OIG how many times? Was it once? More than once?
A. Two to three times, I think.

Q. And do you happen to recall how long each of those interviews was?

A. A few hours each time.

Q. And I imagine you provided complete, truthful testimony to OIG when you spoke to them?

A. Yes.

Q. Do you know whether the FBI, the Justice Department, or you yourself provided any -- or were asked to provide any documents to OIG in connection with your interviews?

A. I can just speak for myself. And, yes, I was asked to provide whatever I had in relation to Christopher Steele.

Q. Did the OIG, to your knowledge, ever complain that they didn't receive certain information that they had wanted from you related to your involvement or to Christopher Steele?

A. From me? No. I don't believe so.

Q. Did OIG ever complain that they needed more information from you?

A. In terms of documents or --

Q. Documents or testimony.

A. They didn't complain about needing more. They stated they'd like to meet with you again and I
Q. And you did meet with them again?
A. Yes.

Q. From your perspective, is there anything related to your involvement in the events addressed in the OIG report, your involvement with Christopher Steele that you didn't tell the Office of Inspector General when you were interviewed by them a couple of times for multiple hours apiece?

Mr. Berger. Are you talking about did he respond forthrightly to the questions that were proffered to him?

Ms. Zdeb. That's right.

Mr. Berger. Okay. So do you understand?

The Witness. Yes.

BY MS. ZDEB:

Q. When the Office of Inspector General completed a draft of their report, were you provided an opportunity to review the draft or at least to review the portions of the draft that pertained to you?

A. To review the portions that pertained to me. Yes.

Q. And did you?
A. Yes.

Q. Did you provide any comments to OIG on
those portions?

A. Yes, I did.

Q. And can you give us a sense of what those comments were?

A. There weren't many. Whatever notes I took after reading they kept, they have. Some may have been, I think, grammatical, non-substantive. In terms of any substantive issues, I recall -- I don't know if it was anything that I had stated to them, but maybe issues with something that's -- another witness may have stated to them about an interaction with me.

Q. From where you sit, did OIG address your comments, whether grammatical or substantive in the final report?

A. I believe they did.

Q. So in other words, to the extent you identified any errors, in particular, any substantive errors, the final report would have addressed those?

A. I believe it did. There may have been -- there may still be in the report changes that were not made that I might still have an issue with in terms of what I remember happened in terms of the interaction as opposed to a different witness.

Q. But sitting here today, you can't recall sort of specific examples of things that you pointed
out to OIG as being incorrect with respect to your testimony that they didn't address in their final report?

A. No. Everything was addressed, I'll put it that way.

Q. Okay. Thank you.

So turning back to the discussion about your relationship with Christopher Steele that we just spent some time discussing before the break.

Mr. Somers asked you about the July 2016 meeting with Mr. Steele and in particular about some of the other reporting that he provided to you during the course of that meeting in addition to report AD, which is the election reporting.

So in -- as noted in the Inspector General's report, you provided records indicating that Steele had given reporting on Russian interference in European political affairs; is that correct?

A. Correct. I don't know if that was at that meeting, but he had provided that at some point. It may have been -- I don't recall exactly --

Q. Okay.

A. -- in terms of the nonelection related material, I don't recall as I sit here what was in that other report.
Q. Okay.
A. But I do recall he had provided information of that nature at some point.
Q. And if you testified truthfully and accurately to OIG during your interviews, that among the things Christopher Steele provided to you during that July meeting was reporting on Russian interference in European political affairs, you have no reason to dispute OIG's characterization of that sitting here today?
A. No, I do not.
Q. And according to the OIG report, you also provided records indicating that Mr. Steele had provided reporting on Russian athletics -- doping in Russian athletics.
A. Correct.
Q. Is that correct?
A. Yes.
Q. And then your records have also indicated that Steele provided general -- reporting that reported generally on Russian cyber activities; is that correct?
A. Again, I know he had. As I sit here right now, I don't recall if it was exactly at that meeting or some other point, but I'm not going to dispute what was in the OIG report.
Q. Do you recall whether these were all written reports? I know you said earlier that you generally recall being given two written reports in the meeting. One was the election reporting.

So were the three different topics that we just covered, were those also addressed in this separate written report that you would have received?

A. Anything I received on that day was contained in two documents, two reports that he provided to me.

Q. Do you recall any specifics about the Russian cyber activities reporting that he provided to you?

A. I don't want to say I'd be guessing, but if it was at that meeting, I do recall, I think, [redacted]. If I'm incorrect, then I'm confusing it with a different report.

BY MS. SAWYER:

Q. And could you just clarify, when you refer [redacted], who are you referring to?

A. [redacted].

Q. So to the best of your recollection, it was
a report on Russian Security Services compromising a
U.S. citizen's --

Again, I don't -- we're talking about -- unless we get the report, we're talking about
something that could be potentially classified and also
something that could be part of an ongoing
investigation or part of an investigation that could be
charged in.

I don't think it's appropriate for him to
be getting into details of what that report added.
Something that's already revealed in the IG report,
that's fair game.

BY MS. SAWYER:

Q. It's described in the IG report, and we can
certainly read the footnote. And this is on page 96 of
the report. It follows a sentence, "Handling agent 1
said Steele had become concerned about the
possibilities of Russians compromising Trump in the
event Trump became president."

And then the footnote says, "Handling agent
1's records indicate that during this meeting, Steele
also provided handling agent 1 with reporting on
Russian doping in athletics, Russian cyber activities
and Russian interference in European political
affairs."
Understood I don't want to get into classified information in an unclassified setting. I just want, for the record, it to be reflected we did ask for the opportunity to go into a classified setting as needed. So we'll try to elevate it and not get into details. But do you have a recollection of whether or not any other reporting had to do with Russian cyber intrusion into elections?

A. Any other reporting.

Q. From Christopher Steele.

A. From Christopher Steele on a different day? Or do you mean that day when I met him on July 5th.

Q. Well, right now we're talking about through July 5th.

A. So I do recall generally something about cyber. What I'd mentioned prior is what I think it was, but --

BY MS. ZDEB:

Q. So to put a final point on it. Cyber as it relates and not cyber as it relates to the intrusions that we would later find out that Russia was responsible for in the course of its election interference?

A. So, again, right now in terms of whatever was in those two reports, which is well documented,
that's what he provided me. You know, in terms of my memory as far as specifics regarding cyber, regarding election interference or cyber regarding something else, a compromise of an individual, I might be confusing that right now. But, again, I'll just refer to those two reports, whatever is in there is what we talked about at that meeting.

Q. With respect to election interference, you spoke earlier about your extensive 24-year history at the bureau and all of the time that you spent in New York and focused on Eurasian and Russian organized crime specifically.

I think you also said that you had less experience with the national security side of the house. Before Christopher Steele approached you with his election reporting and before the Crossfire Hurricane team asked you to facilitate a meeting with him, had you been at all involved in any work having to do with Russian election interference or was this the first occasion on which that happened?

A. This was the first occasion I was involved in anything in terms of Russian election interference of U.S. elections. There may have been a report, and all of the reports that were contained and that are contained in the delta file, the reports that I
prepared or that he provided after talking or meeting in person, there was one, I believe, regarding -- and this was not around this time period, it was at some other time period -- interference, Russian interference in European, western European elections, I believe. Or at least with European political parties.

Q. Switching gears to some of the discussion you were having about Bruce Ohr prior to the break. You relayed a conversation with him in which he made some reference to his boss or his bosses and, based on your recollection, said something to the effect of my boss or my bosses want to know what's happening with this reporting.

Did Mr. Ohr ever name that boss or those bosses by name?

A. He did not.

Q. Do you know one way or the other whether he eventually -- whether he had previously had a conversation with some boss or bosses or whether he subsequently had a conversation with --

A. I have no idea.

Q. In the OIG report, on page 273, Mr. Ohr told the Office of Inspector General that in August of 2016, he contacted a criminal division deputy attorney general about Steele's reporting because it was, quote,
"scary" and he was quote, "unsure what to do with it."

Do you, sitting here today, have any evidence to dispute the fact that Ohr spoke to a criminal division deputy attorney general about Steele's reporting?

A. I don't have any evidence that he spoke to anybody other than taking him for his word at the time that he and his boss or bosses wanted to know if the FBI was doing anything with the information. Other than that, I have no idea.

Q. So do you have any evidence to dispute Ohr's stated reasoning to the Inspector General that the reason he contacted a criminal division deputy attorney general about the reporting was because it was scary and he was unsure what to do about it?

A. I have no evidence about that either way.

Ms. Zdeb. Could we go off the record for a quick second?

(Discussion off the record.)

Ms. Zdeb. We can go back on the record.

BY MS. ZDEB:

Q. Turning back, I think, to the summer of 2016. I'm curious if you recall when you first started hearing anything having to do with Russian election interference. Was it at the July 5th meeting with
Christopher Steele?

A. Yes.

Q. So we obviously know, based on the extensive work that Special Counsel Mueller did, that Russia in fact did interfere in sweeping in systematic fashion in the 2016 election.

Mr. Berger. Just so you understand, when you're incorporating a lot of hearsay statements from a report, so it doesn't mean that he's accepted all the conclusions of the report or that he's read the report. So you have to understand that he's not accepting some of the premises of the question.

Ms. Zdeb. So I --

Mr. Berger. You seem to be including a lot of facts that he may not be aware of in your question. That's all.

Ms. Sawyer. I don't think he's been asked a question yet.

Ms. Zdeb. So in the way that Mr. Somers made reference to various excerpts from the OIG report, I have also done the same. The question that I'm in the process of asking right now makes reference to the special counsel's report.

Well, hang on a second. If your client takes issue with the characterization that I,
Mr. Somers, or anyone else around this table is making something that the OIG wrote, we're happy to provide him with a copy of the excerpt we're talking about. And obviously, [blurred text], you're free to take issue with it yourself. Is that fair?

Mr. Berger. Right. It seems to be a premise of your question. It's not the import of your question. That's the concern that I have. Why don't you try to repeat your thought and your question. Let's see how it lays out.

BY MS. ZDEB:

Q. Do you recall when you first learned or started hearing specifically about Russian intrusions into the DNC, the DCCC or Hillary Clinton's server?

A. If it was contained in one of the reports that I received on July 5th, that would have been the first time. Subsequent to that, probably not until -- and I'm guessing, because I was not engaged or involved with any of the investigations that were going on -- would have been in September, I guess, or early October in terms of my meetings with the Crossfire Hurricane team.

Q. So when you started having those meetings with the Crossfire Hurricane team, what was your understanding as to why they were specifically
interested in receiving additional reporting on
election -- on election interference from Mr. Steele?

A. So I first spoke to the Crossfire Hurricane
team supervisor in the middle of September. I didn't
meet with them until October when they came. I
provided the reports directly to -- I provided the
reports to FBI executive management prior. But in
September, provided the reports directly to the
Crossfire Hurricane team. And then didn't hear
anything.

And shortly thereafter, I think I heard
something in terms of -- from the team saying that this
information corroborates other information that we've
developed. That was really it. And then I didn't talk
to them until they came.

Q. And then did you develop some understanding
in the course of their trip as to why they were
particularly interested in receiving more reporting
from him?

A. Well, again, the reporting -- according to
them, they told me that it corroborated other
information that they had developed in the
investigation. I wasn't involved in the investigation,
wasn't about to get into details with them. That
wasn't my place. And they said they wanted to
facilitate -- wanted me to facilitate a meeting with the source, which I did.

And so that was my understanding is that they were hoping to meet with him personally to assess for themselves the information and his activities.

Q. Okay. Switching gears again.

After the Inspector General released his report in December, our committee held a hearing where Inspector General Horowitz testified for several hours on the conclusions of his report.

During the course of that hearing, there were a number of allegations made about the FBI, about the individuals involved in Crossfire Hurricane, and the events addressed in the Inspector General's report. From our perspective, those allegations were addressed in the Inspector General's report, but I'm going to ask you a series of questions about some of those allegations because we continue to this day to hear those allegations made in many cases by individuals who have no firsthand knowledge of the events addressed in the IG report or about Crossfire Hurricane.

So for starters, the Inspector General found that there was no documentary or testimonial evidence of bias impacting the FBI's work in Crossfire Hurricane. Nonetheless, we've heard allegations that
there was tons of evidence of bias.

    Did political bias impact any of your
decisions related to Mr. Steele or the connections you
made between him and the Crossfire Hurricane team?

    A.    In no way, shape, or form.

    Q.    Do you personally have any evidence that
political bias otherwise impacted Crossfire Hurricane?

    A.    I do not.

    Q.    It has also been alleged that the FBI
engaged in a massive criminal conspiracy over time to
defraud the FISA court. Do you have any evidence that
the FBI engaged in a massive criminal conspiracy to
defraud the FISA court?

    A.    I wasn't involved in the FISA application
other than in terms of Steele and talking to them about
his characterization. I have no idea in terms of the
application process and thereafter for the original or
any of them. I wasn't involved. So I can't speak as
to that.

    Anything I was involved in, it was -- I was
personally not involved in any conspiracy and I did not
observe any evidence of any conspiracy in terms of my
interactions personally with any of the people involved
in that investigation.

    Q.    It has also been alleged that the FBI
purposefully used the power of the federal government
to wage a political war against a presidential
candidate they despised.

Do you -- and, again, recognizing your role
in all of this may have been somewhat limited. So do
you personally have any evidence that FBI agents
personally used the power of the federal government to
wage a political war against then candidate Donald
Trump or President Trump?

A. To the extent of my involvement and
personal knowledge, no.

Q. Do you have any -- again, based on your
personal knowledge -- do you have any evidence that the
FBI waged a coup against President Trump?

A. Again, to the extent of my personal
knowledge and involvement, no.

Q. Do you personally have any evidence that
the Crossfire Hurricane investigation was intended to
hurt Trump politically?

A. I can't speak to the purpose of the
investigation.

Q. Was your goal to hurt Trump politically?

A. Not in any way.

Q. What was your goal?

A. To be professional and to disseminate
information that a source provided to a group of individuals who needed to see it.

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

A. I don't have any evidence of that.

Q. Finally, there have also been allegations that the purpose of Crossfire Hurricane was to either change or to nullify the results of the 2016 election. Do you have any evidence that the goal of Crossfire Hurricane was in fact to change or to nullify the results of the 2016 election?

A. Again, I have no awareness of the goals of the investigation and no knowledge or evidence of anything that you just mentioned.

Q. Sorry, you just said you have no --

A. Knowledge of the original goals of the investigation. I wasn't involved in opening the investigation, continuing the investigation. I wasn't part of the case team, so I couldn't testify as to the goals of the investigation.

BY MS. SAWYER:

Q. With regard to your role, which you've described as disseminating information to the group of people who needed to see it --
A. Right.

Q. -- with regard to that role in particular, was your goal to quote, "change" or "nullify" the results of the 2016 election?

A. In no way, shape, or form at all. No.

Q. And in terms of just our understanding of your kind of role in the overall picture, the way I just describe that is disseminating information to a group of people who needed to see it.

Were you otherwise involved in the Crossfire Hurricane investigation?

A. No.

Q. Do you know who specifically was involved in that investigation at headquarters?

A. I know two of the individuals.

... Again, so long as we're not naming --

THE WITNESS: So I dealt personally with supervisor SSA-1 and I dealt personally with, I think, case agent 1.

BY MS. SAWYER:

Q. And did either of them ever express to you --

A. Also -- I apologize -- the individuals who came ... who were not SSA-1 or case agent 1, but...
other individuals.

Q. And did either of them ever express to you what they were investigating and why?
A. Generally, yes.

Q. And what did they tell you generally?
A. It was -- and we didn't get into specifics, but that they had information that Steele corroborated regarding possible compromised individuals in the Trump campaign.

Q. Did they indicate anything about Russian election interference?
A. I think that was the overall, in a very general sense, but certainly not in specifics. And I didn't ask them for specifics about their investigation.

Q. And why was that that you did not ask about the specifics of the investigation?
A. That was not my role. I was not a part of the investigation. My role was to facilitate the passage of information and to facilitate meetings with Steele.

Q. Did you have any involvement at all in Special Counsel Mueller's investigation?
A. No.

Mr. Berger. Can I take a moment?
Ms. Sawyer. Sure.

Mr. Berger. Just be right back.

(Pause in the proceedings.)

Mr. Berger. He just wants to clarify an answer.

The Witness. Just to clarify one point.

In terms of what I was told by the supervisor in headquarters as to Steele's information, it was that Steele's information corroborated other information that they had developed to begin the investigation. BY MS. SAWYER:

Q. And you weren't given any specifics as to what that information was?

A. No.

Q. And you didn't ask?

A. No.

Mr. Berger. You used the phrase "Steele corroborated."

The Witness. Right.

Mr. Berger. So you meant what you just said.

The Witness. Right. I just wanted to clarify that point. It was Steele's information that he had provided to me that I gave to the Crossfire Hurricane team that I was told corroborated information
they had prior from some other source.

Ms. Sawyer. I think those are all the questions we have at this point. We may have more after our colleagues have a few more questions. But we appreciate your time.

Mr. Berger. Thank you very much.

Ms. Zdeb. Off the record.

(Brief pause in the proceedings.)

EXAMINATION BY MAJORITY STAFF

BY MR. SOMERS:

Q. Just to clarify, I think, in the last set of questions you were answering in the last round you referred to supervisor. Is that SSA-1?

A. Yes.

Q. And then I think -- I'm sorry, I just couldn't hear -- I think you may have answered this, But you were talking about Steele's information corroborated information that they had otherwise received.

Did they tell you what of Steele's information corroborated?

A. No.

Q. Okay. Just to back up. So Steele's given you intelligence reports over the years, I think, you testified to the first time we were speaking.
What do you usually do with those reports Steele gives you, an intelligence report? What's the --

A. So then the procedure is -- the process is you write it up and send the information to -- into the delta file, the source file. And if there are any other interested parties, for example, just as an example, if it has to do with Russian organized crime, I would send it to either [REDACTED] or to the [REDACTED]. If it had to do with something regarding cyber, I would send it to the cyber desk. If it had to do with whatever the program. So that people, the subject matter experts, could have eyes on it.

At the same time it was put in the file, and then possibly at times it would be reviewed by -- my understanding of the system -- by an analyst somewhere in headquarters and then possibly developed for, to be produced as an intel product. To be sent to the community.

Q. So when you say -- just to go off topic a little bit here -- the delta file, that's an electronic system?

A. Yes.
Q. And you were able to enter information into the system?
A. Yes.

Q. What -- generally, what types of things are in the delta system about a CHS?
A. It's all the administrative paperwork, the opening, the closing, all the admonishments, payments and then the reporting.

Q. So I asked you what you usually do with Christopher Steele intelligence reports. What did you do with the July 5th -- the report you received at the July 5th meeting?
A. So this information struck me as different because of the nature of the reporting in that it was, even though unverified, not corroborated, sensational. I don't want to say the word "explosive," but had to be treated -- at least in my judgment -- had to be treated with a little more -- just had to be treated differently.

I took a few days to try and figure out how to handle this. I spoke to the LEGAT, my direct supervisor and advised them what I wanted to do was to reach out to an experienced and trusted colleague in New York to get some advice as to how to deal with this information even though it's not technically sensitive
and, again, unverified/uncorroborated. But I wanted to be discreet with it, because once it goes in the system, you don't know who sees it and it's not controlled and you don't know where it goes.

And particularly at that time in July of 2016, it was -- the environment was heated and I didn't want to add to it not knowing who would see it and not knowing what was going to happen to it. My idea was to get it to somebody, if that somebody existed, and put it in their hands so that they had it directly.

BY MR. BAKER:

Q. Why would New York be the one that would help you sort through where it would go? It seems like earlier you had a pretty good relationship and ability to send stuff directly to places in the headquarter building or to IOD.

A. IOD was not going to have the answer as to what to do with it. This information was something unique in terms of the information I had gotten in the past. I reached out to the ASAC of the political corruption section in New York because I know that that individual had dealt with some very sensitive issues over the last couple of years and may be able to provide some very sound advice as to how to handle information of this type. So that's what I decided to
do, got the signoff from the LEGAT and contacted the ASAC in New York.

Q. Why would IOD not have the answer to it, in your opinion?

A. They don't have the subject matter expertise. The individuals who are staffing the desks there were not subject matter experts in any of this. You know, they were not there for an operational purpose. They were there for an administrative purpose self-admittedly.

You know, when it came time to deal with things operationally, it wouldn't be with IOD. It was with the substantive desk, wherever that may be.

Q. I'm just curious. IOD, I think you indicated earlier, had at the helm an assistant director rank. So that's somebody, even though they're not necessarily operational, somebody that's probably is interfacing with executive management at the FBI that I think would have seen the same priorities, sensational flavor that you saw and being right at headquarters might be able to get it to somebody higher than them, an EAD or somebody that would be able to --

A. An AD probably definitely has that access and interaction. However, I wouldn't be calling the AD directly. At that point, the AD had left -- the prior
AD had left. I had no conversations with that AD.

And to get it into the IOD chain between supervisor, unit chief, section chief, my opinion, based on my professional experience and judgment at the time was to get an operational answer from an operational executive as to how to handle it. The goal was to get it into whoever needed to see it, get it there in a discreet way so it wasn't blasted everywhere. That was my goal.

Q. Okay. Take IOD out of the equation. You seem to have -- as an ALAT or a LEGAT could hotline the information to one of the substantive desks at headquarters. If it was counterintelligence, it sounds like you had the ability to send it right to CD. If it was criminal, you had the ability to send it right to the criminal division. You still felt that your comfort level would be satisfied taking it to New York to the people you had a history with?

A. The idea was not to take it to New York. The idea was to get advice from an experienced executive in New York who had experience dealing with very sensitive matters as to how to deal with the information. My goal was not to send it to New York and be done with it.

Q. Right.
A. It had to get to headquarters. If there were somebody dealing with is this, they would be in headquarters. That's, I think, part of the reason why it took so long to get this information to the supervisor in September. But the point being, again, it wasn't to have it reside in New York. That wasn't my goal.

Q. I understand that. But you had a comfort level that you would get an answer from New York based on a history you have with some of the executives there?

A. Based on not just my history with those executives, but based on the level of investigations that those executives are involved in on a daily and regular basis knowing the matters that they engage and deal with knowing I would get a solid answer from New York. That's why I went to New York.

Q. Was there any subsequent blow-back or complaint from either IOD or substantive desk that the information went to New York first rather than them?

A. No.
Q. Okay. And you indicated that the AD, I think you earlier said Mike Welch. You just indicated that he had left and a new AD had come in?

A. He had left a while before, and this was either the second or third AD since I had gotten on.

Q. And what was their name?

A. I can't remember who it was at that point.

Q. Thank you.

BY MR. SOMERS:

Q. And you're referring to the -- you didn't know the AD for counter-intel or for national security?

A. No, for IOD. I can't tell you who the AD for IOD was.

Q. All right. So usually you would have taken the report, if it wasn't explosive, sensational, whatever word you would you want to use, you would have just put it into the delta system?

A. Right.

Q. So you didn't put it in the delta system. Where was the first place you transmitted it?

A. So I wrote it up. The report of the meeting and those reports were ultimately put into the delta system. I'm not sure if it was a week later, two weeks later. But the first transmission would have been to somebody else was July 28th, 29th.
So July 5th, I received the information. July 12th I called the ASAC in New York to seek his advice. He says sit tight. Let me look into this and figure it out and I'll get back to you. He gets back to me July 28th, 29th, and says send me the reports and we're going to get them -- we'll do what we need to do.

A day or two later, he contacts me and says New York executive management is aware of the reports as is an EAD at headquarters -- EAD level at headquarters. So executive assistant director. So this is the very end of July, very beginning of August. It's my understanding as told to him -- told by him to me that those individuals had the reports.

BY MR. BAKER:

Q. So your understanding at this point, the highest level at headquarters, highest level at the FBI that has seen this reporting is an EAD?

A. Yes. So you've got ASAC and an ADIC in New York and then EAD, of which is only six in the bureau, have seen the reports as of the end of July. That's what I'm being told.

BY MR. SOMERS:

Q. Excuse me. By the ASAC.

A. By the ASAC.

BY MR. BAKER:
Q. Do you know who the EAD was? Which EAD it went to?
A. I don't. I don't know who it was.
Q. Do you know which program that EAD would have had?
A. Still don't.

BY MR. SOMERS:

Q. And Sweeney was the ADIC at the time?
A. He was not. I believe he showed up maybe a few weeks later. It would have been, before him, Diego Rodriguez, but I don't know if Diego was still there at that point, or if there was an acting ADIC. I just don't recall right now. The SAC -- the SAC was Mike Harpster in New York at that time.

Q. Backing up to the -- so the meeting with Steele on the 5th. So your understanding at the meeting -- you're coming out of the meeting was that this was developed for -- the election report was developed for a private client?
A. Yes.

Q. On page 96 of the IG report, the report mentioned Steele's notes of his July 5th meeting with you.
A. Okay.

Q. And according to those notes, Steele told
you that quote "Democratic party associates were pinged for Fusion GPS's research. The ultimate client was the leadership of the Clinton presidential campaign and the candidate was aware of Steele's reporting."

Do you have any reason to doubt that Steele told you this?

A. I don't recall that. When I left there, there was not an understanding as to which party was actually paying for this information. It was clear that a party was paying for this information and that this information was going to be used by a party somehow. I was told that GPS Fusion hired Steele to collect information on Trump's business activities in Russia.

Who hired GPS I asked him. And he said a law firm. He did not know the name. And I knew that if we had the name, we might be able to figure out, okay, who. I had no understanding as I left that meeting that it was for one party or the other, but knowing clearly that it was a political party.

Q. When you say party, you mean political party?

A. Yes.

Q. So Steele -- in your mind, Steele's notes of the meeting are incorrect?
A. Yes.

Q. It further states on page 96 that Steele told us that he was quote, "pretty candid with handling agent 1." He also said it was clear that Fusion GPS was backed by Clinton supporters and senior Democrats who were supporting her.

Again, you don't have any recollection of that?

A. No. And, again, my recollection leaving that meeting is I did not know which party was behind this. And that is obviously something we needed to figure out.

Q. But it was definitely political in your mind.

A. Without a doubt. Not even a question.

Q. And was that something you were conveying to -- let's start with the ASAC in the New York Field Office?

A. Yeah. I mean, it was obvious.

Q. Okay.

A. And it was something I spoke about with Steele and it's something that the ASAC and I spoke about as well, that it was completely obvious that this was information intended to be used by one of the parties against the other.
Q. Was that obvious to the ASAC as well?
A. Yeah.

Q. What about, did you convey that the first -- I think the SSA-1, did you convey that to SSA-1 the first time you talked to him about the information?
A. I'm sure I did.

Q. Did he agree, to your recollection, that impression that it was politically motivated?
A. To my recollection, it was a matter of trying to figure out who was behind it. And it was completely obvious to all of us whoever was involved in these conversations what the purpose was of the information was to be used by one political party or another.

And that was -- one of the goals was trying to identify the law firm, which would then hopefully help in identifying who was behind it.

Q. Why not just ask Steele?
A. I did.

Q. You did?
A. Yeah. Of course I did. He didn't know.

Q. He didn't know?
A. He didn't know the name of the firm. He just knew GPS and Glen Simpson. That was the first
question I asked him.

BY MR. BAKER:

Q. They're the ones that tasked him; they're the ones that paid him?

A. Yes.

Q. That was his universe as far as --

A. Yes. He said -- and that's what I said, who was behind Simpson and he said there's a law firm. What's the name of the firm? I don't know. We need to know the name of the firm.

BY MR. SOMERS:

Q. So other than the ASAC in New York and then eventually the Crossfire Hurricane team, did you talk to anyone else about Steele's reporting and your boss, the LEGAT?

A. So the LEGAT, the ASAC in New York, Bruce Ohr, he talked when he called in August. Then the -- there were two individuals in New York. What the ASAC said was in terms of getting this -- the physical reports to be put somewhere in addition to the delta file for now, the New York -- the legal office in New York was going to set up a subfile that I would send the physical reports to so they would have it in their subfile.

So I had spoken to the assistant division
counsel in New York and then at some point, just in terms of -- not about the substance of the reports, but just getting the reports to him. And then at some point in August, he advised me and I spoke to the ASAC of counter-intel in New York, who then advised that there is a team in headquarters that will need to see these reports.

That was the extent of the conversation I had with the ASAC and counter-intel. And then the next conversation I had is with SSA-1 when I received an e-mail saying, you know, here's who I am. Send us the reports. And I sent them the reports.

Q. And that's who your contact was for the remainder of your involvement in Crossfire Hurricane?

A. For the next month and a half, I spoke to SSA-1, I spoke to case agent 1, and then the individuals who came [REDACTED] on October 3rd.

Q. Did you know SSA-1 previous to this --

A. I knew who he was. He was from New York as well. I never worked with him. He was on the national security side.

Q. Did you know case agent 1 before Crossfire Hurricane --

A. I'm sorry, I was talking about case agent 1. I apologize. Supervisor SSA-1 I did not know.
Q. Did not know. Case agent 1 --
A. Case agent 1, I knew who he was. We had never worked together, but he had been in New York for a while.

Q. What was his reputation in New York?
A. His reputation was as a solid agent.
Q. Not someone who would shade facts?
A. No. Again, I never worked with him, but he did not have that reputation.

Q. Getting back to the July 5th meeting. On page 96 of the IG report, it notes that you advised Steele that Steele was not working on behalf of the FBI to collect the information from Fusion GPS -- that Fusion GPS was seeking. I said we are not asking you to do it and I am not asking you to do it.

Why did you give him this instruction?
A. I wanted to be very clear from the beginning that this information -- he was also continuing on behalf of GPS to collect more information. I wanted to be very clear so some day when somebody asks me, I did not task him to collect this information in any way, shape, or form.

And that any further information he collected, until somebody who had the authority to make that decision was not being done on behalf of
Q. Is that why you further -- but I can give you the quote, but I think you recall -- is that why you further asked him not to send you any more reports, information until you got back to him?

A. There were a couple of issues. One was that, yes. We were not tasking him and I did not want to create the appearance that he was being tasked by us to do that.

In addition, because of the law firm and that he was doing this on behalf of the firm, there may have been an attorney-client privilege that I did not want to get in the middle of. As a criminal investigator, that's something that we're hyper concerned about. So my thought was let's figure out how this is going to go and then we'll go from there.

Q. Was there any discussions at this July 5th meeting about what he was going to do with this information in terms -- from the private perspective, the private client's perspective?

A. Other than I brought it up and again was part of the discussion, but it was an obvious part that somebody was going to use this information in a negative way. That's why their contract report.

Q. Did press come up?
A. That did not. Specifics did not. He didn't say anything as to any plan about what would happen. He did not know. He was at that point just collecting the information.

Q. So you tell him don't send anything more until I get back to you. Yet, according to the IG report, he sends you another report on July 19th. Did that concern you that he had just sent you another report even though you instructed him not to?

A. If it was a report, I guess it was the follow-up report he was preparing, I don't think I was concerned at that point because at that point, I had spoken to the ASAC in New York in terms of trying to figure out how to flow the information.

Q. But you weren't concerned that Steele -- did you specifically instruct him not to send you something and then he sent it to you?

A. At that point, it was not an indication that he was doing something he shouldn't have been doing, to me.

BY MR. BAKER:

Q. When you were on the phone or otherwise communicating with SSA-1 or case agent 1, I mean, I'm guessing that this information that is now going to this team at headquarters similar to what I think you
indicated your initial assessment was pretty interesting stuff, did you ever get a sense from them that this had been elevated up in the headquarter building to a very high level?

A. So when we -- I sent him the information and I'm not sure if it was a couple days or a week later, I sent an e-mail to SSA-1 saying doing what I would normally do with a source to say -- to get an answer from somebody who might know, is the information good or is it just off the wall?

He responds with an e-mail, this corroborates what we had from something else that started the investigation, and then proceeded to list all of the people who were read into the investigation. Maybe 20, 25 names.

BY MR. SOMERS:

Q. If you recall, what would the highest ranking person have been? Did the director know?

A. McCabe.

Q. So it would have been the deputy director, at least your understanding?

A. From what I recall on that e-mail, which I know OIG has.

Q. It had been elevated to the deputy director level?
A. From that e-mail, I couldn't -- as I recall, it wasn't specific that these reports have gone to these people. It's that these people are read into this investigation.

Q. What was the purpose in him telling you that?

A. I have no idea. I didn't ask him to.

Q. So McCabe was on the list you recall?

A. (Nodding head.)

Q. Mike Steinbach?

A. I don't recall.

Q. Bill Priestap?

A. Yes.

Q. Peter Strzok?

A. Yes.

Q. Jonathan Moffa?

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

Q. Do you know Jonathan Moffa?

A. I think I met him once, maybe.

Q. In connection with this or in connection with something else?

A. If it is the same individual, it would have been in my first time I prepared to appear before the Senate Intelligence Subcommittee.

Q. At the July 5th meeting, did you read the
election report while you were meeting with Steele?

A. Yes.

Q. Did you ask him anything about his subsources?

A. What I told him was -- because it was understood that he didn't want to ever identify his subsources. But what I told him at that meeting was, look, first we have to figure out if there's somebody in headquarters who will look at this and do something with it. And I said the only way they'll do something with it is if it's corroborated. And I said at that point, they're going to want to meet with you personally. This is before I knew that there was anybody. I said they're going to want to meet with you personally and you're going to have to tell them who your sources are. I said that's the only way it's going to go down for it to go anywhere, just so you know. Now -- and so that was the conversation.

Q. Now, in the FIFA investigation, if I'm recalling correctly from the IG report, Steele was basically a conduit to a source. Is that generally correct?

A. He was -- he introduced us to individuals provided information
regarding an individual in New York who was on the FIFA executive committee who -- that initially gave us the impetus to really start the case.

So he made introductions and then provided a piece of intelligence that was corroborated by a number of other sources. That was his role in the FIFA investigation. And I will say this. But for the introductions, the FBI would not have started its investigation.

Q. Was there any discussion at any point in time using more of that model with this election reporting? You have the same situation here as I understand it. You have Steele. You've got a primary subsource who has sources.

Was there any discussion of basically cutting -- for lack of a better term -- cutting Steele out and getting to the primary subsource?

A. Not with me.

Q. Not with you?

A. No.

Q. Were you aware who the primary subsource was?

A. No.

Q. So you would have no knowledge of whether Steele had used his primary subsource in other reports
he'd given you about other matters?

A. I knew there were one or two main sources that he used in the information he provided over time. I don't know if that was the same individual who was described as primary subsource in this case. And at that point at that day I didn't ask him to identify, knowing that he wasn't going to, but just told him in terms of this -- if this went further with the team who might be investigating, he would have to for them to actually do something with this information.

Q. Had he, in other Russia related matters that he had worked with you on in the past, had he divulged the name of sources? Had you ever met a Steele source, subsource?

A. I've never met any of his sources or subsources. There may have been one who died who I learned of early on. But he did not want to divulge his sources and source network. That was his -- that's his business.

Q. So in-person meetings with Steele in this time frame, you have the July 5th in-person meeting, you have the October 3rd meeting with the larger team. Any other meetings?

A. That was it.

Q. Phone calls?
A. Then we had -- so in August, after I speak to the ASAC, I get back to him. I said -- or at some point I said, look, I'm going to get back to you and we'll move forward.

A number of weeks in August I don't think we spoke and then at a certain point once I learned that -- or he may have provided a report unrelated to any of this in August, the end of August maybe. I think it was regarding [redacted]. I don't recall anything else.

There was discussions -- and this was not in person -- regarding repayment of an expense that he was owed legitimately by the FBI for meetings he had tried to set up a couple of years before that we spoke about and that I think he received a payment for during that time. August, I think. But again, completely unrelated to the election reporting. And then we spoke -- it was either -- it was either by Skype, so at some point going forward for the planning of the October meeting.

Q. Did he ever press you for like, hey, what's going on with my information? Was he asking you questions like that?

A. Yeah. But I wouldn't call it pressing. He definitely asked, you know, what's going on? What's
happening? And I said, you know, I'm trying to figure it out.

Q. Did he ever express concern that he didn't see any news reporting of the fact that the Trump campaign was under investigation?

A. No.

Q. I think you've sort of answered this, but just to be clear. Other than handling Steele, did you have any other involvement in Crossfire Hurricane?

A. No.

Q. I think you answered that you did not do any work for Special Counsel Mueller's team. Were you interviewed by Special Counsel Mueller's team?

A. No. I was contacted once by somebody on the special counsel's team asking me about Steele, because they were thinking about interviewing him. This was in late winter of 2017, I think, early spring maybe. And so they wanted to get my opinion.

Q. About whether that was possible?

A. No. About just in general, you know, whether he would be receptive. My response was I hadn't spoken to him for months and that they would have to -- if they were going to do it, they should be very careful because I didn't know what his angle would be.
Q. That was your only interaction with the special counsel?

A. Yes.

Q. I jumped around here a little bit. Do you know who Joseph Mifsud is?

A. Only from reading his name in the press.

Q. So you had no interactions with him?

A. Never met him. Don't know him.

Q. Are you familiar with [redacted] University?

A. I am.

Q. What is [redacted]?

A. So it's a -- it's a University in [redacted] that they service law enforcement and intelligence professionals from the [redacted] authorities.

I was asked on two occasions by one of the professors to provide a lecture on organized crime. That was my background. I never did. I couldn't make it for one reason or the other. And I think on two occasions two different ALATs came to speak to the class. One might have been about CT, the other might have been about cyber. But I wasn't there, and that was irrelevant.

Q. So it's definitely connected to western law enforcement?
A. It's connected to law enforcement and they have had speakers from the FBI there. It is very much similar to a John Jay College in New York, which is a very law enforcement-based institution.

BY MR. BAKER:

Q. It's a degree-granting institution?

A. I don't know. My understanding is it was graduate level and that the officers who go there from the authorities receive credit. In terms of a degree, I don't know, but it benefits their career and it's career enhancing.

BY MR. SOMERS:

Q. But you would say it's very similar to John Jay?

A. Yes.

Q. I asked you some of this when we were going through the list, but not exactly in this form. Do you know Bill Priestap?

A. I do not.

Q. You've worked with him?

A. No. I know him from not -- from New York when he was a supervisor and then an ASAC just from some very minimal interactions.

Q. No interactions on Crossfire Hurricane?

A. No.
Q. Peter Strzok?
A. Never met him. Never spoke to him.
Q. Do you know who [BLANK] is?
A. I do know [BLANK].
Q. Did you work for [BLANK] at all on Crossfire Hurricane?
A. On Crossfire, no. We worked together in Rome. He was assigned to our [BLANK] --
Q. Assigned to ALAT [BLANK]?
A. Did you have interactions with case agent 2?
Q. Case agent 1 you had interactions with?
A. (Nodding head.)
Q. Is case agent 1, so we can avoid all this, is he the only case agent you had involvement with?
A. So case agent 1 --
Q. Only SA?
A. Supervisor 1 and then the agent who came to [BLANK] to debrief Steele. So there were three agents who came to [BLANK] from headquarters. One was a case agent, one was a unit chief, I believe, and the other one was an IA.
Q. Had you ever worked -- with any of the
people that came to [redacted], had you ever worked with any of them before?

A. Never.

Q. Did you speak to them after the meeting in Rome?

A. The IA I think I spoke to once or twice.

Q. About the [redacted] meeting?

A. May have traded some e-mails, but then not -- this was after, I think, everything went south in November. Not in advance. I had received -- every once in a while I would get an IM from an IA on behalf of Bill Priestap asking for answers regarding something that happened regarding Steele or whatever.

BY MR. BAKER:

Q. Was there an occasion earlier than the so-called [redacted] meeting where FBI representatives did not show up for something that had been arranged?

A. That is what Steele was paid the expenses for. On two occasions, there were meetings set up in another country. There was another individual that was being -- who would meet with us regarding some -- what numerous people believed to be very interesting information that Steele was facilitating the meeting. And on two occasions at the 11th hour, the people who were supposed to come from headquarters just didn't
Q. Do you have any sense of the reason that they didn't show?

A. It was -- it's documented in the file. It's certainly in there. I don't know if I can get into it here because of the subject matter of it. But, you know, if you ask me, it was -- they were not good reasons.

[Redacted]. We can consult. The witness. No, I'm fine. That's the answer. Thank you.

BY MR. SOMERS:

Q. All right. So moving up to the October 3rd meeting. Where did that occur?

A. That was in [Redacted].

Q. Did it occur -- was it in a skiff?

A. No. It was an offsite location.

Q. Offsite?

A. Not classified scenario.

Q. Anyone -- so who's in the meeting? You've got Steele. You've got --

A. Steele, myself, and then the three individuals. IA, unit chief, and case agent.

Q. No one else with Steele?

A. No. He was by himself.
Q. What was the -- from the FBI's perspective, what was the purpose of the meeting?

A. As it was told to me and as I told the guys there, I said, listen, have at him, ask whatever questions you need to ask, do whatever you need to do. I was there solely to facilitate it.

My understanding was that they wanted to go through the reporting, assess what he said. But then also, as I learned later in the meeting because there was more coming out through the meeting from the case agent as to the purpose of the meeting ultimately, to try and engage exclusively Steele with this reporting for the FBI and for the Crossfire Hurricane team.

Q. You learned of that in the meeting?

A. Yeah.

Q. So --

A. Maybe immediately prior to the meeting that day when I met with the guys or the day before when they landed.

Q. What was your opinion of that as being a realistic possibility of him being exclusive to the FBI on this?

A. On this subject? My feeling was that it was -- you know, when they said it, I didn't think it was impossible and I thought, you know, it was
possible.

My feeling with Steele at that point was that, you know, he was -- at that point, my understanding, my belief was that he was motivated by the right reasons to try and get information of this nature to the authorities in the United States for the right seasons. So I thought it was possible.

Q. What did you tell Steele the purpose of the meeting was?

A. Just that they wanted to meet him, talk to him. They would want ask him about his sources and subsources and see if he would identify them. That's what I told him.

Q. Did he express any hesitancy about the meeting?

A. No. He came. He was actually responsive and happy to be meeting with these individuals because I think it was -- you know, he had asked throughout a number of times, although I'm not pushing, but. You know, is anybody looking at this? Is anybody seeing? And when he's called for a meeting in October, he recognizes that there are people looking at it.

Q. So he was to be paid $15,000 just for this meeting?

A. So at the meeting, the case agent then
offers up, and I had no idea he was going to do this.

I don't know if the other guys did as well. You know, I'd like to thank you for -- telling Mr. Steele -- for your time and appreciate you coming to meet with us and so we'd like to compensate you $15,000 to come to the meeting -- for coming --

Q. So he didn't know about that ahead of time?
A. I didn't know about it. I had no idea until it was mentioned.

Q. I'm sure I can form this in a question some way, but that seems like a lot of money for a two-and-a-half hour meeting.

A. I mean, you know, it's not based on the time. You know, the counter-intel side, I'm -- my background is criminal. That's a lot of money for a meeting. Counter-intel side is a different animal, so I can't qualify. It raised my eyebrows just because I was surprised to hear it. And yes, in my experience on the criminal side, that's a lot of money.

BY MR. BAKER:

Q. So it's a lot of money for a criminal case meeting?
A. Yeah. Oh yeah.

Q. But maybe not for a --
A. Maybe not. And I can't say that it is
because this was the first such meeting that I've ever been involved of that nature.

BY MR. SOMERS:

Q. Okay. Let's just back up a little bit. Before the meeting, how much was the Crossfire Team asking you about Steele prior to the October 3rd meeting?

A. So we had spoken either by IM. I don't know if there was a secure video conference call, maybe one, just in terms of they wanted to get an idea of what Steele was about. Which completely makes sense. And I said here's his history, here's what he's done, here's the type of information he's provided. We talked about the FIFA investigation because it was big at that time. And then -- and what he had done and where he had came from in his prior career.

BY MR. BAKER:

Q. You had previously indicated that based on a communication you received, that the deputy director level seemed to be maybe the highest level that some of the information -- or at least an awareness of the information had gotten. On any of these calls, was such a person on the other end?

A. Not that I recall. And in terms of that
communication, again, it was a list of individuals who
were read into the Crossfire Hurricane investigation.
I don't believe it said these people have seen the
reports.
Q. Right. I'm clear on that. Thank you.
BY MR. SOMERS:
Q. In terms of things that came up during the
October 3rd meeting, did the Crossfire Hurricane team
probe Steele at all on the chances that the information
in the election reporting was Russian disinformation?
A. I don't want to say no. It was -- the
meeting itself lasted a couple of hours and pretty
in-depth. The agent who was there and the analyst were
pretty much subject matter experts and they were going
through it all. I just can't recall yes or no as I sit
her right now.
Q. Was there some reason the meeting was only
two and a half, three hours long? Could it have gone
longer?
A. No. I mean, the meeting finished in its
natural course.
Q. But there was no hard stop on it?
A. No, there was no hard stop.
Q. What did they ask him about his sources?
A. They said we need to know your source base.
We've got to verify this. And ultimately, if we're going to go forward, we're going to have to know your sources. And he said, look, I'm very leery to divulge my sources and made a point of saying that.

Q. Did he say he wouldn't?

A. At that point, he said I'm not going to right now, but it's something I have to think about.

BY MR. BAKER:

Q. Based on his background, that would not be suspicious to you?

A. No. In fact, that's the way he had been from day one.

BY MR. SOMERS:

Q. And then prior to the meeting, there was an article on Yahoo News -- September 23rd Yahoo News article. Was that asked about?

A. So when they landed in the pre-meet when it was just FBI, they bring up this article. I had not seen it. I had not heard about it. I hadn't read it. I didn't know anything about it. And they asked about it and I said I don't know, but ask whatever you can ask, you know, feel free.

In terms of at the meeting, I don't recall if they did or didn't at this point. As I sit here now, I can't recall if they did or didn't bring that
Q. Do you think Steele would have answered it if they asked him the question, were you the source for the September 23rd Yahoo News article?

A. I mean, it's easy to say now what I think. I think he -- I mean --

Q. Well, did he deny when you called him on November -- early November, did he deny he was the source of the Mother Jones article?

A. No, he didn't then. So -- you know, I don't recall him -- I don't recall him being asked that question. But, again, I don't recall it either way right now. You know, if you're asking me to guess if he would tell the truth --

Q. Well, let's ask you a different way. Did he say before the meeting -- you spoke with Steele before the meeting?

A. Right.

Q. Did he say I'm not going to speak about --

A. No.

Q. -- anything?

A. No. In fact, he mentioned that he had provided information to Jonathan Wiener at State. And this was just -- this was maybe a day or two before the meeting or maybe a couple days before the meeting. He
said I just want to let you know I've provided some
information to Jonathan Wiener at State. I said okay.

And so when the other FBI representative
showed up, that is one of the first things I told them,
I said you guys need to know he also provided some
information. They responded good. We're glad he told
you that because we were going to ask him that. They
found out somehow. But their response was okay. Good.
We're glad he told you.

Q. Just continuing on that subject of what
about discussions of who his client was at the October
3rd meeting?

A. Again, as I sit here, I can't recall
exactly what was said, what wasn't said. I'm -- I
don't see how it could not have been discussed. As far
as -- as far as I recall, I never learned the identity
and I just don't -- and I just don't recall.

Again, at that meeting, I wasn't asking
questions. I wasn't involved other than just to
facilitate it.

BY MR. BAKER:

Q. Stepping back just a second. You had
indicated earlier, when we were going through sources
and how they're opened and managed, you mentioned the
term "admonishments."
A. Right.

Q. What does that mean in the world of sources?

A. So source admonishments are basically the rules that a confidential human source has to -- they agree to follow. They don't always follow, certainly. But it is under the Attorney General guidelines. You have to communicate to the source this is the nature of the relationship. These are the boundaries, these are the way it works. This is the way it works. Do you acknowledge what we're telling you? So that the source says, okay, I understand. And so that is -- that's -- those are the acknowledgements.

Q. And your source, Christopher Steele, understood?

A. Every time he was read the acknowledgements, yes.

Q. Can you give an example of what some of the admonishments might be?

A. You can't commit -- well --

[Redacted]. Go ahead.

A. For example, you can't commit criminal activity. There's a whole list of them. If you get paid, you cannot expect payment in the future. It's not guaranteed. You know, this nature is -- the
relationship of this nature is confidential. Things of that nature.

Q. Okay. And he signed and agreed to all that?

A. He agreed. So yeah, he was read and those have to be done once a year. So however many are in the file, I would say two or three, you know, he was read them and verbally acknowledged and understood what was told to him.

Q. When he's paid, does he sign something?

A. Yes. So he signs the source payment receipt, which again talks about in terms of specifically the payment obligations that he has as receiving the money. And he signs -- and signs it.

Q. You, as an ALAT, I know we're kind of one riot, one ranger. There's not a lot of FBI people in your universe. Are those payments witnessed?

A. Yes.

Q. The admonishments, are they witnessed, too?

A. Every payment is witnessed and the admonishment are acknowledged by the source and signed off on by two agents.

Q. Thank you.
1 BY MR. SOMERS:

2     Q. Page 111 of the report indicates that the IG was told -- so we, the IG. "We were also told by case agent 2 that Steele did not disclose information about the identity of Fusion GPS's client, a law firm which was funding Steele's work due to a confidentiality agreement that prevented him from sharing that information."

3             Did Steele ever raise a confidentiality agreement with you?

4         A. Not a confidentiality agreement per se. But just there was -- that he was tied to this relationship and was taking -- you know, was responsible to his client, GPS, in terms of going forward and in terms of providing this information.

5     Q. But you don't recall Steele in the October 3rd meeting saying I'm not telling you. I've got a confidentiality agreement?

6         A. I'm not saying it didn't happen. I just don't recall that right now.

7 The Witness. Can I take a two-minute restroom break?

8         Mr. Somers. Absolutely.

9         (Recess.)

10 BY MR. SOMERS:
Q. All right. Getting back to the October 3rd meeting. There was also a discussion, was there not, during the October 3rd meeting about three buckets of information that the case agent 2 asked Steele if he could provide information on.

The three buckets seemed to be additional intelligence/reporting on specific named individuals such as Page or Flynn involved in facilitating the Trump campaign Russian relationship.

   Two, physical evidence of specific individuals involved in facilitating the Trump campaign relationship.

   And three, any individuals or subsources who Steele could identify who could serve as cooperating witnesses to assist in identifying persons involved in the Trump campaign-Russia relationship?

Do you recall discussion of the three buckets?

A. Yes.

Q. I think the IG report indicates other than some limited information on -- well, first, that would be tasking? The three buckets, would you consider that tasking?

A. Those would be taskings. Yes.

Q. What did Steele say in reaction to that
tasking?

A. I recall that he said he had to think about it. He did not agree to do it. Part of the condition going forward, if he were to do that and engage, would be to do it exclusively for the FBI and no longer work for GPS or whomever else he may have been working for in terms of those buckets of information.

Q. Did Steele provide you with information for the -- satisfying any of the three buckets?

A. He provided additional reporting over the course of the next couple of weeks. But I don't know if he -- without seeing the reports, I couldn't say if they specifically addressed those three buckets as the case agent described.

Q. Is a tasking, is that a source validation method?

A. Tasking --

Q. Giving -- is it a way you would validate a source giving a source a task?

[Redacted]. I'd say source validation methods are classified.

The Witness. Okay.

BY MR. SOMERS:

Q. Did anyone on the Crossfire Hurricane team come back to you and ask you about, hey, where's this
information from the three buckets? Did they ask you
to go ask Steele for information about the three
buckets? Information that fell within the three
buckets?

A.  I don't recall. I don't think so. I just
remember receiving some reports from Steele and getting
them directly to the guys on Crossfire Hurricane. I
don't recall any discussion -- any further discussion,
because I think they were waiting to hear from Steele
in terms of whether he agreed to this arrangement. But
I don't recall any further discussion as to Steele
agreeing to the arrangement or the Crossfire team
trying to drill down to get an answer.

Q.  And we spoke about this, I think, in our
first segment. But in terms of being the handler and
how the handler-CHS relationship works, were you always
the intermediary or could the Crossfire team directly
contact Steele?

A.  One of the agreements made at that meeting
on October 3rd was that if they had questions, they
would go through me to ask Christopher Steele.

My belief and understanding was that at a
certain point, if they were going to continue with him,
they would end up going directly with him and I would
be cut out.
Q. Did they come back to you with questions after that meeting to take to Steele?

A. I don't recall. I don't think so. As I sit here right now, I don't think so.

Q. You said earlier in my first round of questions you had looked over the IG report or read it. In the IG report, there's an appendix that goes through the Woods process, that's the verification process for the FISA.

I think I can just represent that they had some trouble verifying some of the allegations in the -- or not allegations -- some of the facts in the Steele dossier. Did the Crossfire team ever approach Steele about helping verify any of the --

A. If they did, I didn't know about it. So -- through me, no. If they did it independently, I have no idea.

Q. Did they ask about verification during the October 3rd meeting? Hey, can you verify any of this?

A. Yes. That was definitely discussed. That was definitely discussed.

Q. And could Steele offer anything verification-wise?

A. That he would work to do it.

Q. But nothing came back to you?
A. Nothing that I saw.

Q. I know -- before, during, after, I'm sure there were discussions all surrounding that October 3rd meeting with the team and you. Was it pretty clear to everyone that the motivations were political for the Steele reporting?

A. That the reporting -- could you clarify that?

Q. Well, let me ask it another way.

The Crossfire Hurricane team, according to the IG report, page 142 of the IG report, the Crossfire Hurricane team told NSD, the National Security Division, that they did not know Simpson's motivations -- that being Glenn Simpson's motivations -- in collecting this information.

In your mind, given all the calls you had, the October 3rd meeting, your interactions with the Crossfire Hurricane team, did anyone have any questions as to what the motivations were?

A. What the --

BY MR. SOMERS:

Q. Prior to October 21st, 2016.

A. The motivations -- you mean the purpose of hiring Steele to get the information?
Q. Yes.

A. I don't recall any specific conversations other than when we spoke generally about Steele and this information how it came about. I mean, it was completely obvious to me and I don't think -- you know, I don't recall any specific conversations other than generally up front he was contracted by a private entity, third party, to obtain this information that ultimately would be used for some political gain by somebody.

After that, I mean, again, to me it was completely obvious. In terms of what the Hurricane team spoke about themselves, I don't recall. I don't know. And in terms of me, I don't recall any other specific conversations about that.

Q. And Steele never mentioned DNC, Clinton campaign to you?

Mr. Gruenstein. Just for the record, you should --

BY MR. SOMERS:

Q. Oh, yeah. Sorry.

A. No. No, at no point -- maybe at some point, but in terms of Steele, I didn't learn that it was ultimately the DNC.

Q. Okay. You didn't do any work for the
Crossfire Hurricane team on verifying anything in the dossier trying to identify who subsources were?

A. No.

Q. Trying to identify who the primary subsource was?

A. No.

Q. Were you asked by them --

A. To do that?

Q. -- to do that?

A. No.

Q. Did you -- I assume all of Steele subsources are overseas. Did you ever work on any logistics of trying to set up contact for the Crossfire Hurricane team with any sources or subsources?

A. No.

Q. Are you aware that the FBI did interview Steele's primary subsource in January 2017?

A. Only from newspapers.

Q. Are you aware -- did you read that section of the FISA report?

A. The IG report?

Q. I'm sorry, the IG's FISA report?

A. I'm sure I did. I don't recall as we sit here.

Q. Are you aware that there were
inconsistencies between what Steele reported and what
the primary subsource revealed to the FBI --
   A. I'm aware --
   Q. -- during the interview?
   A. -- that's what's reported.

BY MR. BAKER:
   Q. You say you're aware that's what's
   reported. Do you have reason to believe it's other
   than what's reported?
   A. No. I only say that because I only know
   from newspaper reports.
   Q. Okay. Do you as a handling agent -- you
   indicated earlier that once you figured out where to
   send some of this stuff, that at some point you learn
   that the Crossfire Hurricane team is looking at this
   stuff.

   Would you get any feedback or reporting
   from headquarters as the handling agent that a
   particular piece of information was in fact being used
   for some purpose to open another case, to go into a
   FISA?
   A. Right. So generally, yes. Because as I
   mentioned at the beginning, that's how you kind of
   quantify and qualify --
   Q. The value of the source.
A. -- the value of the source.

In this case, I was told that his information was being used for a FISA application.

Q. Okay. Did you ever see what the verbiage that was going into an application was to be able to know what it was as reported?

A. I never reviewed the FISA application. I was never asked to review it. I was never provided a copy for a review. I had a conversation and it's in an e-mail regarding a characterization of the source. And whatever I put in that e-mail is what it was for Steele. But I never reviewed any FISA application, or applications.

Q. Is that normally the way it's done or is that different from the way it's normally done with a handling agent?

A. Again, based on my experience on the criminal side relating it to wiretap applications, the source handler is the one who should be reviewing the characterization of the source, is the one who knows the source and the value of the source or the lack of value of the source and the type of information the source is providing.

So that in terms of that small piece, the source handler generally has input as to that part of
the application. Again, this is wiretap applications
that I'm explaining.

Q. Right. So while it could be different
between the criminal world and the national security
world, it was different in this case from what you were
used to?

A. Right. Yes.

Q. And then while we're -- if I could just ask
another question while we're on the idea of being in
the criminal world. What does it mean to you when the
phrase -- in characterizing a source's
reporting -- what does the phrase "used in criminal
proceedings" mean to you?

A. It means either testifying in court,
testifying before a grand jury, information used in an
affidavit to support a search warrant, a wiretap, a
complaint. A criminal proceeding to me is more than
just a general investigation, it is an actual matter
that is being addressed by an actual judge. That's my
experience.

Q. So something that's really before a forum
that's adversarial, maybe?

A. Or formal. It doesn't have to be
adversarial. It could be one party. But, you know,
something that is more than just a general idea of the
case.

   Q.    And are you aware that phrase apparently meant different things to different people?
   A.    As used here?
   Q.    Yes.
   A.    I mean, I'm aware that that -- in terms of how -- could you explain that a little more?
   Q.    That according to the IG report -- and I don't have an exact cite for it -- it sounds like that phrase, "used in criminal proceedings," did not always mean what it meant to you, that it meant different things to different people.
   A.    Now I understand the question.

   If you asked somebody -- you ask a prosecutor or you ask a criminal investigator what that means, I think you will get the same answer every time. In fact, I think in the report, they asked the prosecutors in the Eastern District and they said this information was never used in a criminal proceeding.
   Q.    Thank you.

   BY MR. SOMERS:

   Q.    [Blacked out], I forgot to ask you one thing about the October 3rd meeting. Page 114 of the IG report states that, "Handling agent 1 agreed that it was peculiar that the case agent 2 gave Steele an
overview of the Crossfire Hurricane investigation, including providing names of persons related to the investigation."

    Why did you find that peculiar?

    A. As a -- in dealing with sources, it's not our responsibility as the handling agents or case agents to provide information to the source. Sometimes by the nature of the questions we're asking, the source can figure out what's going on. But it's not for us to tell them what's happening.

    In my course in dealing with sources, in 24 years, that was not my practice. There are times when you need to provide some type of information for a very specific reason. But in my experience, generally, it is not -- that is not the way you go about doing things.

    Q. Could it influence the source's reporting to reveal information like that?

    A. Well, again, the idea is you're obtaining information that's unverified, uncorroborated. A source is a source and you don't know -- I mean, you have an idea or believe what their motivations are. But at the end of the day if their source is a source and there could be some agenda that you have no idea what's going on.
And so the more you provide to them, that can color things one way or the other and influence responses that we may get.

Q. So if you gave a source a name and all of a sudden you get a report back that has that name in it, that could be because you gave the source the name.

A. That's an obvious one. Yes. There are times when if I need information on somebody here, I've got to tell them the name. But, you know, in this instance, again, I wasn't a part of the planning for it. It just seemed a little bit much to me.

Q. I think you may have just answered this, but I'm going to ask it again because I don't recall. So were you aware going into the October 3rd meeting that Steele's information was possibly going to be used in a FISA application?

A. I don't recall if I knew it at that point.

Q. You did know it at some point in time?

A. Yes. I definitely knew that it was going to be used to support the first application.

Q. Did you know who the target was?

A. I did not.

Q. When did you become aware that they were going to seek a FISA?

A. It was either shortly before. I can't -- I
can't tell you if it was just before that meeting or at
some point in October, early/mid October.

Q. And then -- we're running a little over
time here. But in the FISA application, page 132, it
says, "Steele is a former redacted and has been an FBI
source since in or about October 2013. Steele's
reporting has been corroborated and used in criminal
proceedings and the FBI assesses Steele to be reliable.
Steele has been compensated approximately $95,000 by
the FBI and the FBI is unaware of any derogatory
information pertaining to Steele."

Do you agree with that description?

A. Not all of it. No.

Q. What parts do you disagree with?

A. It was never have been used in a criminal
proceeding.

Q. Would you have signed off on that
description had you been shown ahead of time?

A. No. I'm sorry. The first time I read that
information was in front of the IG's investigation when
they showed it to me.

Q. That's in a footnote in the FISA report.

That footnote goes on to say, "The identified U.S.
person never advised Steele as to the motivation behind
the research into candidate 1's ties to Russia."
We talked a lot about whether Steele revealed it was the DNC or the Clinton campaign that was his client. And you said he never revealed that.

A. Right.

Q. Did he also say that he didn't know what the motivation was of his client?

A. No, he did not.

Q. Did he tell you he didn't know who the ultimate client was?

A. He told -- again, at that meeting, the first meeting in July, as you know, he didn't know the name of the law firm. And I brought up the fact and we discussed that this information was going to be used as -- by whomever was doing --

Q. At the October 3rd meeting, did he say he didn't know who the ultimate client was?

A. I don't recall learning after that meeting or during that meeting who it was.

Mr. Somers. I think our hour is up. I don't know if we want to take a longer break now?

Mr. Berger. No, I think we're good. We'll work through it if you're willing to. 15-minute break and we'll try, between the two of us, not to use more than maybe an hour and a half. I don't want to represent what you're going to use and I don't know
exactly what I'm going to use, but I don't think I have another hour, but I do need to take 15 minutes now.

(Recess.)

BY MS. MICHALAK:

Q.    Good afternoon.
A.    Good afternoon.
Q.    Earlier you testified that you received an e-mail with a list of people that were read into the invest -- or read into the reports.

What was the date of that e-mail?
A.    Read into the investigation.
Q.    Right.  Read into the investigation.
A.    That had to be around September 21st, September 22nd.  Give or take a day or two.  Maybe a week.  Within a week.  But I don't know exactly.  But it's that meeting the third week of September.
Q.    The third week of September?  Thank you.

BY MR. SOMERS:

Q.    In any of your discussions throughout your involvement in Crossfire Hurricane, how high were you told this information was flowing?  What type of conversations were you having from people on the team about where this investigation was being supervised from?

A.    My understanding was from that e-mail where
I saw the 20, 25 individuals listed were aware of the investigation. In terms of -- I was not -- we had no discussions in terms of, you know, on a day-to-day basis what was happening, who was seeing what, who was making decisions. I wasn't informed. I wasn't brought into conversations like that.

Q. We'll probably jump around a little bit here. We're just trying to finish up some different threads.

The IG report goes into what the primary subsource said about what the information he gave Steele. A few of the things the IG report says, "The primary subsource also stated that he/she never expected Steele to put the primary subsource's statements in reports or present them as facts. His or her information came from word of mouth and hearsay, conversation that he/she had with friends over beers and that some of the information such as allegations about Trump's sexual activities were statements he/she heard made in jest. The primary subsource also told WFO agent 1 that he/she believed that other subsources exaggerated their access to information and the relevance of that information to his/her request. The primary subsource told WFO agent that he/she takes what subsources tell him/her with a grain of salt."
If you had known this information when you received the reports from Steele, would you have done the same thing with them?

A. Again --

Mr. Berger. You mean transmitting it to New York and --

Mr. Somers. Yes. I'm sorry.

The Witness. I don't think I would have done anything different. My assumption, when I received the reports and reviewed them the very first time at that meeting in London, was that it was just that, source reporting that was unverified and uncorroborated.

However it had to be processed and dealt with and put somewhere. And, you know, I don't think even if I had known that, it probably wouldn't have surprised me because that's the nature of source reporting. I don't think I would have changed what I did.

BY MR. SOMERS:

Q. Do you think the others in the Crossfire -- you said that's the nature of source reporting.

A. (Nodding head.)

Q. The others on the Crossfire Hurricane team
at least that you were dealing with, did they have that understanding, that that's the nature of source reporting?

A. I never had that conversation with them. Anybody who's handled sources and dealt with source information has that understanding. It is the case team's responsibility to then corroborate and verify that information and assess it, which is what I assumed they would be doing with this information or others at the bureau.

So in terms of what they thought or what they would have thought if they had known that, you know, I can't say just as -- you know, I just couldn't give my perspective.

Q. Just -- and you may not know the answer to this, but do you know from case agent 1, do you know if he handled sources before?

A. I never had that conversation with him. He -- at the time, he had been around for a while, so I assumed he had and he had a reputation as being one of the senior agents in New York in that program. I just assumed anybody with that length of time, regardless of program, has experience handling sources.

Q. The same question for SSA-1?

A. I didn't know him, so I didn't know his
reputation. So that I wouldn't have immediately assumed.

Q. As I said, I'm going to jump around a little bit here. We talked earlier about Steele's reaction to being terminated on that phone call and you discussed what his reaction was. Did you do anything with that information with what he said to you?

A. Yes. I documented it and sent it to the file.

Q. And when you say you sent it to the file, you mean it's in his delta file?

A. It's in a delta file.

Q. Just to be clear for the record, people on the Crossfire Hurricane team had access to Steele's delta file, correct?

A. I assume so. In terms of -- you know, I don't know -- they never told me they were looking at the file, but I would certainly believe that they would have been looking at the file. That's part of what you do, a file review, in terms of looking at that information if you're going to use the source for an application, for something. So I assumed that that's what was going on. I didn't have any conversations about it.

Q. I think you told the IG that you would have
expected them to, quote, "turn the file upside down."

Is that --

A. Yes, I said that. And I believe that.

Q. We spoke earlier just briefly about Russian disinformation and the chances that what was in the Steele dossier could have been Russian disinformation. Was that a concern?

A. That's always a concern, particularly dealing in that universe. I don't recall any long conversations about it with either Steele or the Crossfire Hurricane team. You know, but at a certain level, you have an understanding of the universe you're dealing in and that is certainly a part of it.

Q. And the case agent that was in the October 3rd meeting with Steele was -- I'm better with names that I am with case agent identifiers. But am I correct that he was a Russia expert?

A. He was definitely an expert.

Q. So he would have been aware of the possibility of disinformation slipping in?

A. I would assume he would be.

Q. I think I asked, I want to ask this a little bit more specifically, but I think I basically asked you earlier.

Did you reach out to anyone in the
intelligence community about Steele's reporting?

A. No.

Q. Do you know whether anyone on the team, did that discussion come up where they reached out to say we checked this with the intelligence community?

A. They didn't ask me or talk to me about that.

Q. Did you have any knowledge of how the Crossfire Hurricane team was corroborating any of the Steele information?

A. No.

Q. And they never asked you to help corroborate?

A. No.

Mr. Somers. That's all I've got.

BY MR. BAKER:

Q. We had discussed briefly a little earlier, I think it was -- the first time we talked about it was in the context of Director Comey being in the media, reopening an investigation, that Mr. Steele might have been concerned that -- or he had questions about whether his information was being seriously considered by the United States government.

Do you have any idea whether his dissatisfaction was relayed to the bureau and at what
levels?

A. At that point, prior to my conversation in early November with him, unless he had conversations with the Crossfire Hurricane team or with Bruce Ohr or Jonathan Wiener, I don't know about that if that happened.

In terms of conversations with me, it was not a matter of -- it was not a matter that would raise an alarm to me in terms of anything he said about it. In terms of not -- he was not asking what are you doing with it? Are they looking at it? Is anything happening? It was very more general with the understanding that, you know, we're trying to see what's going on and we'll get there. But from coming from him, I don't recall any type of statements or actions that would raise a flag to me.

Q. That would have you generate some official communication.

A. Exactly.

Q. Okay. But you can't speak to what he might have separate and independently done communicating his dissatisfaction to others?

A. Right. No, I can't.

Q. And then I know initially you went to New York Field Office for guidance, sounding on what should
be the next step. And I know New York Field Office has an -- I think a special relationship with headquarters, special relationship in the bureau.

Did you ever hear unofficial discussions, communications, gossip through bureau channels that the subsource -- the primary subsource was disavowing some of the reporting that Steele had done?

A. I did not hear anything about the primary subsource until months later, anything that came out in the news.

Q. Okay. So officially or unofficially you heard nothing --

A. Nothing.

Q. -- until it came out publicly.

A. Nothing. And just to clarify your prior question. The conversations that we had in October, Steele and myself, were really focused on, after that meeting, the money that he was offered, the 15,000. It was about getting the money. That I specifically recall. More than once. Numerous times.

Q. Thank you.

BY MR. SOMERS:

Q. Just one question on that. I think this is addressed in the IG report, but did you ever have a discussion with him about the Hatch Act?
A. The --

Q. The Hatch Act and how that might apply?

A. I don't recall that at all. Frankly, I'm not expert enough on the Hatch Act to even proffer an answer to it. But I don't recall that coming up. I mean, we spoke about numerous things. I just don't recall that one specifically.

BY MS. MICHALAK:

Q. Just a few more follow-up. What triggered this read-in e-mailing that was received the third week of September?

A. So I reached out to SSA-1 to say, hey, look. Is the source's information useful, good, garbage? You know, because I wanted to put that in the file just so there's a record. Again, going back to how you kind of evaluate the source.

And the response I got was the e-mail in which SSA-1 states is information corroborated, unrelated information that we used to predicate the investigation. And then below was a list of 20, 25 people who I think it says read into the investigation. I don't know why that was included in the e-mail. I didn't ask for it. I have no idea why it was put there.

Q. And was Jim Baker one of the names listed
in that read-in?

A. I can't recall right now.

MR. SOMERS: That's all we have.

EXAMINATION BY MINORITY STAFF

BY MS. ZDEB:

Q. I think we will be brief.

As you know, the Inspector General identified a variety of what he characterized as significant errors in the FISA applications under review and his report. And the reason that we're all here is presumably to talk about how to address those sorts of errors going forward.

We haven't really gotten into that yet today and so we wanted to ask you just a couple of questions about some of his specific recommendations.

A. Okay.

Q. In particular, we have spent some time talking about the source characterizations statement in the FISA application. Among other things, it said that Steele's reporting "has been corroborated and used in criminal proceedings." We've talked about that a bit thus far. And according to the Inspector General, that statement overstated the significance of Steele's past reporting and was not approved by Steele's handling agent as required by the Woods procedures.
In response to that situation, the Inspector General recommended revising the Woods form in a variety of different ways, but primarily to emphasize the obligation to obtain written approval from CHS handling agents for all CHS source characterization statements. This is on page 415 of the IG report. Director Wray accepted this recommendation and has identified several steps that the bureau is taking to address it.

Did you review Director Wray's response to the IG report?

A. I believe I read it, but I didn't spend time really reviewing it or going over it.

Q. So on -- and this is on page 428 of the IG report, which is where his response is contained. He responded to the IG's specific recommendation on getting written verification on source characterization statements by saying that the bureau is, quote, "improving the FISA verification form, otherwise known as the Woods form, by adding a section devoted to confidential human sources, including a new certification related to the confidential human source originated content in the FISA application by the CHS handler and CHS related information that requires confirmation by the CHS handler, which will be
maintained in the confidential human sources file."

So do you believe that these steps, namely, adding an explicit section in the Woods form to remind whoever is completing the Woods form of the obligation to confer and receive approval from the handling agent will help address the error that we've been -- the error that the Inspector General identified and that we have been discussing pertaining to the source characterization statement?

A. I mean, just based on my experience, it's reminding somebody to do something that they're supposed to do already, that they should be well aware of. I mean, it can't hurt, I guess, but you know. It's -- you know, it's in a document, it's a reminder, it's an extra requirement, which again can't hurt.

You know, if you're not experienced in handling these kind of situations as investigative tools, then certainly you can use it as a roadmap to assist in what you need to do. But hopefully you're being guided by others who have experience and can mentor you as to what you need to do.

Q. To the extent you haven't filled out one of these forms before, do you think it would be helpful to have that written reminder on the form itself as Director Wray has indicated?
A. I've never done the Woods process. Wiretaps have something of a similar process. It's an extra step that if it ensures the integrity of the information going into the affidavit or the application, then it certainly can't hurt and would help.

Q. According to Director Wray, the FBI is also adding a checklist to the Woods form that in his words walks through the new and existing steps for the supervisor who is affirming the case agent's accuracy review prior to his or her signature. And that is meant to affirm the completeness of supervisors' accuracy review.

Is that sort of checklist in your view an additional step that will be helpful in ensuring that errors like the ones we've -- the one we've been discussing --

A. I think for supervisors who lack the experience of the process, it certainly helps.

Q. And do you have any other recommendations regarding the involvement of case handlers in reviewing information about the sources that they handle for purposes of making sure that those sources are described accurately in FISA applications?

A. Again, from my perspective as the source
handler, you know, anything that can be done to ensure that the case team is going to be using the source information or characterization has to run it by the source handler, get the okay, and these steps certainly can help.

You know, to me, it's steps that are obvious to someone who has done this before or mentoring somebody as to how to do it, but it cannot hurt. It certainly can help.

Ms. Zdeb. I think that concludes our questioning. We can go off the record.

Mr. Berger. Yes, I appreciate your hospitality.

(Whereupon, at 1:59 p.m., the instant proceedings were ceased.)
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**Deposition Date:** March 3, 2020

**Deponent:** Handling Agent 1

**Case Name:** Senate Judiciary Committee

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