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5 SENATE JUDICIARY COMMITTEE

6 U.S. SENATE

7 WASHINGTON, D.C.

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INTERVIEW OF HANDLING AGENT 1

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Tuesday, March 3, 2020

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Washington, DC

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The interview in the above-entitled matter  
was held in 224 Dirkson Senate Office Building,

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commencing at 10:10 a.m.

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1 APPEARANCES:

2

3 For the SENATE JUDICIARY COMMITTEE:

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5 MAJORITY STAFF:

6 ARTHUR RADFORD BAKER, Senior Investigative Counsel

7 ZACHARY N. SOMERS, Chief Investigative Counsel

8 LEE HOLMES, Chief Counsel and Staff Director

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1 APPEARANCES (Continued):

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4 FEDERAL BUREAU OF INVESTIGATION

5 [REDACTED], Assistant General Counsel

6 [REDACTED], Assistant General Counsel

7 [REDACTED], Counterintelligence Law Unit Chief

8 [REDACTED], Section Chief, Litigation Section

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## P R O C E E D I N G S

1  
2 Mr. Somers. Good morning. This is a  
3 transcribed interview of [REDACTED]. Chairman  
4 Graham requested this interview as part of an  
5 investigation by the Senate Judiciary Committee into  
6 matters related to the Justice Department and the  
7 Federal Bureau of Investigation's handling of the  
8 Crossfire Hurricane investigation, including the  
9 applications for and removals of a Foreign Intelligence  
10 Surveillance Act warrant on Carter Page.

11 Would the witness please state his name for  
12 the record?

13 The Witness. [REDACTED].

14 Mr. Somers. On behalf of Chairman Graham,  
15 I want to thank you for appearing today and we  
16 appreciate your willingness to appear voluntarily.

17 My name is Zachary Somers. I'm a majority  
18 chief investigative counsel for the Judiciary  
19 Committee. I will now ask everyone else who is here in  
20 the room to introduce themselves for the record, except  
21 for [REDACTED] personal counsel who we'll get to in a  
22 few moments.

23 I will start to my right with Art Baker.

24 Mr. Baker. Arthur Baker, senior  
25 investigative counsel, Senate Judiciary Committee,

1 majority staff.

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

4 [REDACTED]. [REDACTED], FBI, OGC.

5 [REDACTED]. [REDACTED], FBI, OGC.

6 [REDACTED]. [REDACTED], FBI, OGC.

7 [REDACTED]. [REDACTED], FBI, OGC.

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

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

12 Ms. Michalak. Gabrielle Michalak,  
13 investigative counsel, Senate Judiciary Committee.

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

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

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

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

22 [REDACTED]. [REDACTED], FBI.

23 EXAMINATION BY MAJORITY STAFF

24 BY MR. SOMERS:

25 Q. The Federal Rules of Civil Procedure do not

1 apply in this setting, but there are some guidelines  
2 that we follow that I'd like to go over.

3 Our questioning will proceed in rounds.  
4 The majority will ask questions for the first hour, and  
5 then the minority will have the opportunity to ask  
6 questions for an equal period of time. We will go back  
7 and forth in this manner until there are no more  
8 questions and the interview is over.

9 Typically, we take a short break at the end  
10 of each hour of questioning, but if you would like to  
11 take a break apart from that, please let me know. We  
12 will also break for lunch at the appropriate point.

13 As I noted earlier, you are appearing today  
14 voluntarily. Accordingly, we anticipate that our  
15 questions will receive complete responses. To the  
16 extent that you decline to answer our questions or if  
17 counsel instructs you not to answer, we will consider  
18 whether a subpoena is necessary.

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

23 Do you understand that?

24 A. I do.

25 Q. So that the reporter can take down a clear

1 record, it is important that we don't talk over one  
2 another or interrupt each other if we can help it.

3 The committee encourages witnesses to  
4 appear for transcribed interviews to freely consult  
5 with counsel if they so choose. And you are appearing  
6 today with counsel.

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

9 Mr. Berger. Lawrence Berger, counsel for  
10 [REDACTED].

11 Mr. Gruenstein. Benjamin Gruenstein, also  
12 counsel for [REDACTED].

13 BY MR. SOMERS:

14 Q. We want you to answer our questions in the  
15 most complete and truthful manner possible, so we will  
16 take our time. If you have any questions or if you do  
17 not understand one of our questions, please let us  
18 know.

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



1 a more complete answer to the question.

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

5 Do you understand that?

6 A. Yes, I do.

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

9 Do you understand this?

10 A. Yes, I do.

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

14 Do you understand this?

15 A. Yes, I do.

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

18 A. No.

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

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

25 Mr. Berger. His answers will be to the

1 best of his knowledge.

2 Mr. Somers. Yes.

3 Mr. Berger. Okay.

4 BY MR. SOMERS:

5 Q. It's now about 10:15 and we will get  
6 started with our first round of questions.

7 Have you read or reviewed the IG's report  
8 on the Crossfire Hurricane investigation?

9 A. I have.

10 Q. Just for the record, in that report you're  
11 identified as handling agent 1?

12 A. Correct.

13 Q. Other than your attorney and the attorneys  
14 for the FBI that are present in the room here today,  
15 did you speak with anyone in preparation for today's  
16 interview?

17 A. No.

18 Q. When did you retire from the FBI?

19 A. August of 2019.

20 Q. What was your position when you retired?

21 A. Supervisor -- supervisory special  
22 agent -- acting supervisory special agent out of the  
23 New York office.

24 Q. New York Field Office?

25 A. Yes.

1 Q. Did you have any particular section you  
2 supervised?

3 A. I ran the money laundering investigation

4 [REDACTED].

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

8 A. Yes.

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

11 A. At that point, I was the supervisor of the  
12 Russian organized crime [REDACTED] out of New York Field  
13 Office.

14 Q. Could you walk us through briefly, so from  
15 when you met Christopher Steele until you retired in  
16 2019, what positions you held at the FBI.

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

22 After that, I returned to the New York  
23 Field Office where I became a supervisory special agent  
24 of the money laundering investigation [REDACTED].

25 Q. And when was that?

1           A.       That was August of 2017.  And then I  
2 remained in that position until I retired in August of  
3 2019.

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

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

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

20                   The Witness.  It is [REDACTED], [REDACTED]  
21 [REDACTED], and that is it.

22                   Mr. Baker.  Thank you.

23 BY MR. SOMERS:

24           Q.       And could you tell us -- so the IG report  
25 indicates that you signed Christopher Steele up as

1 a -- formerly as a confidential human source when you  
2 switched over to your position as ALAT in [REDACTED]. What  
3 necessitated you having Christopher Steele as a CHS in  
4 the ALAT position?

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

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

19 And let me just add. In addition, knowing  
20 that an important part of the mission [REDACTED] was  
21 Russian organized crime, for [REDACTED], it was a  
22 primary focus on their transnational organized crime  
23 program from their [REDACTED] with whom we  
24 had a very good relationship [REDACTED]. And  
25 then for us as well, transnational organized crime

1 primarily [REDACTED], was a priority within the  
2 organized crime program for the FBI. [REDACTED] provided us  
3 an opportunity to engage with [REDACTED] very  
4 proactively in addressing that mission.

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

8 A. The answer is no.

9 BY MR. BAKER:

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

12 A. It was -- [REDACTED] was the assistant  
13 director at the time of IOD and his -- the IOD --

14 Q. IOD stands for what?

15 A. International operations division.

16 Depending on the assistant director, the way they  
17 addressed the threats in the mission, you know, may go  
18 one way or another. And [REDACTED] motivation was to  
19 be proactive in addressing the threat.

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

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

24 Q. So you would report to someone in IOD in  
25 your responsibilities?

1 A. As an attache?

2 Q. As an attache?

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

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

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

11 Q. Okay.

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

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

21 A. So the LEGAT was aware of what we were  
22 doing. And then, yes, there were desks here in  
23 Washington in IOD that would, I guess, work with their  
24 desks in other programs, whether it be national  
25 security or criminal in headquarters.

1 Q. Okay. I just to elaborate on the very last  
2 part there.

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

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

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

18 A. We could and we did regularly.

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

21 A. No, no.

22 Q. That would be encouraged to hotline the  
23 information?

24 A. Yes.

25 Q. Okay. When you would deal with IOD, did



1 you, at the ALAT level, deal with [REDACTED] or did you  
2 deal with someone at a lower level --

3 A. No.

4 Q. -- or did it depend on what the topic was?

5 A. I dealt with whoever the desk supervisor or  
6 unit chief would have been at the time.

7 Q. Do you recall who that was?

8 A. I don't. They changed relatively often.

9 Q. And that would be like a unit chief level?

10 A. Supervisory or unit chief level.

11 Q. Okay. So supervisory special agent or --

12 A. Yes.

13 Q. Unit chief. Okay. Thank you.

14 BY MR. SOMERS:

15 Q. Did you ever -- I'm not asking who they  
16 are -- but did you have other confidential human  
17 sources while you were at ALAT?

18 A. Yes.

19 Q. How many approximately?

20 A. I think a total of three, including Steele,  
21 I think at one point.

22 Q. What does it mean to be the handler of a  
23 confidential human source?

24 A. You are responsible for the administrative  
25 handling of the source, the paperwork. Doing all the

1 appropriate checks, opening the source, doing the  
2 paperwork to open, and then dealing with the source and  
3 tasking the source and receiving information from the  
4 source. And then ensuring all the guidelines, AG  
5 guidelines are followed and that bureau policy is  
6 followed.

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

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

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

24 Q. And how does it typically go? Is it more  
25 the source is coming to you with stuff or you're

1 reaching out? What's the typical --

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

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

18 A. So I am the -- as the source handler, I'm  
19 the go-between. If an agent -- if the source is  
20 providing useful information to the agent, first you  
21 have to determine what type of source is this. Is this  
22 source a witness in that investigation? If so, the  
23 source will no longer be a confidential human source.  
24 The source will become a witness and that agent -- case  
25 agent or case agents will deal directly with the source

1 and that confidential relationship is gone just by  
2 nature of the criminal organization. And I say  
3 criminal because I don't have much experience with the  
4 national security side.

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

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

20 A. Not --

21 Mr. Gruenstein. October '16.

22 BY MR. SOMERS:

23 Q. October of '16.

24 A. October of '16, we had a meeting with the  
25 Crossfire Hurricane agents?

1 Q. Yes.

2 A. Not before with the Crossfire Hurricane --

3 Q. Just in general.

4 A. He had met other agents [REDACTED]. And other  
5 agents in the LEGAT's office to talk about other  
6 matters unrelated.

7 Q. Was that typical for other sources you  
8 handled as well?

9 A. Yes. It was also -- I was fully aware that  
10 depending on the source, depending on the information,  
11 depending on the investigation, there was always a  
12 possibility that if the source's information was that  
13 good or direct, the actual case agents who were running  
14 that investigation would need to then handle the  
15 source. And that relationship then would be  
16 established.

17 Particularity on a very -- on a large or  
18 important or sensitive investigation, if the source has  
19 particularly useful information, the handler who is  
20 just the handler, not involved in the investigation, is  
21 then, for lack of a better term, cut out and that  
22 source then has a relationship with that team.

23 Q. For that investigation. You could still  
24 handle him for --

25 A. At that point then, it would just be -- you

1 know, once they're with that team, then that's it.

2 BY MR. BAKER:

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

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

10 BY MR. SOMERS:

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

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

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

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

24 A. In terms of promotions, no. In terms of  
25 evaluations, this is one of the things where, you know,

1 it depends -- in 24 years at the bureau, that question  
2 was up and down. One year, yeah, everybody has to have  
3 a source. Next year, it's not about the quantity of  
4 sources, it's the quality of sources.

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

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

11 A. Right.

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

15 A. Right.

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

18 A. Well, there's always --

19 [REDACTED]. Mr. Speaker, if you're asking him  
20 about his personal knowledge of it? Sure. If you're  
21 asking about --

22 Mr. Baker. Personal knowledge.

23 [REDACTED]. -- general reluctance from the  
24 other agent population?

25 Mr. Baker. No.

1 [REDACTED]. You can answer that.

2 Mr. Baker. He's indicated he has 24 years  
3 experience. I'd like to tap into that. Your  
4 experience.

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

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

23 BY MR. BAKER:

24 Q. Would it be fair to say during the course  
25 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

1 answered, provide some information, and get it to the  
2 case agent.

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

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

10 Q. But equivalent of Christopher Steele?

11 A. Same thing.

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

14 A. No.

15 Q. Did you provide a source description?

16 A. Yes.

17 Q. Characterization statement?

18 A. Yes.

19 Q. Did you review that before it was  
20 submitted?

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

1 the source.

2 Mr. Baker. When you say they ask --

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

9 BY MR. SOMERS:

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

12 A. The source characterization --

13 Q. -- source characterization statement?

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

19 BY MR. BAKER:

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

24 A. This is back in 2001?

25 Q. Yes.

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

8           Q.       And later in time --

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

11          Q.       Okay.

12 BY MR. SOMERS:

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

15          A.       I don't.

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

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

22          Q.       As an ALAT?

23          A.       As an ALAT, no.  As a supervisor prior to  
24 retiring, we -- and I won't get into the case, but it  
25 was completely unrelated.  The case was designated as a

1 SIM off of my squad.

2 BY MR. BAKER:

3 Q. And for the record, SIM stands for what?

4 A. Sensitive investigative matter. There are  
5 particular categories of cases or subjects that fall  
6 under the DOJ DIOG policy that they have to be  
7 characterized.

8 Q. So there's something about the case that  
9 makes it sensitive?

10 A. Something about the case or the subject.

11 Q. And DIOG is what for the record?

12 A. Well, that's the DOJ guidelines as to  
13 running investigations.

14 BY MR. SOMERS:

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

19 A. Right.

20 Q. What was the relationship between 2010 and  
21 2013?

22 A. It was informal. We spoke a couple of  
23 times, met a couple of times. During that time  
24 after -- in 2009, I was assigned to the Russian OC  
25 [REDACTED] with the intent of engaging and developing higher

1 level cases more, sophisticated cases that Eurasian  
2 organized crime groups were involved in. Transnational  
3 money laundering fraud, much more sophisticated frauds  
4 than at the time [REDACTED] had been doing.

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

18           So I met him in, I think, April of 2010.  
19 That was the first time. Before -- from 2010 to 2013,  
20 I spoke to him a couple of times. I traveled to London  
21 a number of times with agents on the squad and  
22 sometimes prosecutors for other invest -- for  
23 investigations. And then at times, not every time, but  
24 a couple of times when I was there we would meet, talk.  
25 He provided information voluntarily to us once in a

1 while without being tasked.

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

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

19           A.     Well, you can ask questions of anybody, but  
20 he was not being officially tasked. He knew what our  
21 interests were. His motivation was twofold. You know,  
22 he had started recently -- and I'm not sure exactly  
23 when -- a corporate intelligence firm, which  
24 he -- which was focused on Eurasian businessmen and  
25 companies. And in the course of that, he had

1 information regarding Eurasian organized crime that, as  
2 he related to me, his prior service wasn't interested  
3 in it. He didn't want to engage with the agency. And  
4 it was useful and he wanted to have somebody see it and  
5 if they could use it, great.

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

9 Q. Was there any motivation that the  
10 relationship with the FBI could help his private  
11 business?

12 A. That was not discussed. No.

13 Q. So you never got the impression that he  
14 was -- you know, wanted to be an FBI CHS or have a  
15 relationship with the FBI in order to drum up business  
16 in any way for Orbis?

17 A. I never got the impression or understanding  
18 or belief that he would use the relationship with the  
19 FBI to help his private side of business. And that was  
20 never related to me. If it was a motivation, he kept  
21 it quiet.

22 My understanding -- and this is what I  
23 believed -- was, again, twofold motivation. One was to  
24 give information to a group that would actually use the  
25 information because it was good information, and then



1 two, to get paid for information.

2 Q. Did he ever request that you connect him  
3 with anybody that might help his private business?

4 A. No.

5 Q. To the best of your knowledge, was -- do  
6 you know whether any Christopher Steele information was  
7 used in a FISA prior to the Crossfire Hurricane  
8 investigation?

9 A. If it was, I have no idea.

10 Q. Do you have any idea whether any of this  
11 information was used in a court filing prior to --

12 A. It was not.

13 Q. It was not? When was the last time you had  
14 contact with Christopher Steele?

15 A. It would have been November 1st or 2nd of  
16 2016. Or 3rd.

17 Q. What was the form of that contact? Was  
18 that phone, e-mail?

19 A. It was phone, over the phone. I received  
20 an e-mail early in the morning one of those days. I  
21 was in -- this was '16 -- I was [REDACTED] and there was  
22 an e-mail from one of the agents involved in the  
23 Crossfire Hurricane case who had a link to an article  
24 saying did you see this? So I had not. It was the  
25 Mother Jones article that was published, again, that

1 weekend, whenever -- right after -- it was either  
2 October 31st, November 1st whatever that was. So I  
3 read it.

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

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

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

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

25 So in terms of the relationship, my

1 dealings with him, that was the last I've ever dealt  
2 with him, that's the last I ever spoke to him. He was  
3 closed administratively, meaning with the paperwork,  
4 maybe -- I want to say two weeks later, possibly.

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

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

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

10 A. No, he has not.

11 BY MR. BAKER:

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

22 A. I do now, yeah.

23 Q. Okay. What was your opinion on Steele as a  
24 source before we get to IG reports and metrics from  
25 headquarters and measurements and all that. Just your

1 street sense, source to keep around?

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

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

21 So, in terms of source, up until this all  
22 happened in the summer and fall of 2016, I viewed him  
23 as a productive professional source. In handling him,  
24 easier than most because he is a former intelligence  
25 professional who had done this himself. And if you've

1 handled sources, you understand that a lot of it can be  
2 aggravating on an interpersonal level. This was not.  
3 Up until that summer and fall, I had no indication that  
4 he was anything other than professional and productive.

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

10 A. Right.

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

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

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

24 So at times, you know, any source, you  
25 understand that the source is providing information.

1 You do not take it for face value, ever. It's just  
2 a -- you know, that's just a basic source handling  
3 tenet. But with him again, nothing up until this whole  
4 thing went bad in 2016 was there any reason to believe  
5 that he was anything other than professional and  
6 productive.

7 Q. Thank you.

8 BY MR. SOMERS:

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

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

23 BY MR. BAKER:

24 Q. Is that common when handling a source, that  
25 a source might have subsources?

1           A.     Right.

2 BY MR. SOMERS:

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

6           A.     Me personally? No.

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

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

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

15          A.     In terms of?

16          Q.     From like former clients maybe.

17          A.     So -- well, Bruce Ohr was the first to  
18 introduce us. Bruce had known him and met him a couple  
19 of years before at a conference somewhere. You know,  
20 his background in terms of where he came from and what  
21 his prior activities were, you know, provides a certain  
22 level of kind of credibility to the individual before  
23 you engage. Particularly in that you're talking with  
24 this service, the British services and their closeness  
25 to us and obviously their competence, level of

1 competence. Going in, it's not like developing a guy  
2 off the street. There's a different level you start  
3 off at.

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

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

12 Mr. Somers. Okay.

13 [REDACTED]. Thank you.

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

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

18 BY MR. SOMERS:

19 Q. As you read the IG report and you get the  
20 impression that a lot of people thought that Steele was  
21 reliable, credible, had a position in a  
22 foreign -- friendly foreign government. I'm just  
23 wondering what sort of verification you had in terms of  
24 his -- what his relationship, how his relationship  
25 ended with that government.



1           A.       My understanding, as related to me by him  
2 and by Bruce Ohr, is that he retired in very good  
3 standing and at a very high level and that he opened  
4 his own corporate intelligence firm.

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

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

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

22 BY MR. BAKER:

23          Q.       So that didn't create any problems for you  
24 that you're now handling an agent, but you have  
25 somebody else also?

1           A.       It's because of the uniqueness of the  
2 individual, the information we were getting and his  
3 access and also relationships that he still had, it was  
4 understood.

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

11           Q.       Is this the pipeline one, pipeline two?

12           A.       No.

13 BY MR. SOMERS:

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

16           A.       Yes.

17           Q.       If you paid him for information --

18           A.       Yes.

19           Q.       -- and Jonathan Wiener in the State  
20 Department --

21           A.       Sorry.

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

24           A.       Yes.

25           Q.       Did you have any concerns about his ongoing

1 relationship with Ohr or Wiener?

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

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

11 A. Not every time. No.

12 Q. Not every time. So you tasked --

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

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

21 A. He was actually. The example, the FIFA  
22 introductions that he made. You know, because of the  
23 introductions he made, we opened the investigation.  
24 Because of that investigation by December of 2013, we  
25 had charged and pled out four cooperating witnesses

1 under seal who had agreed to, I think, probably an  
2 aggregate of 10 to 15 million in forfeiture before  
3 anybody even knew what was going on.

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

6 A. No. Definitely not.

7 Q. He expected to be paid though?

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

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

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

24 A. Well, the process is you have to run the  
25 record checks, you run through LSHA, you run through

1 criminal histories and that's what I did.

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

5 A. Absolutely not.

6 BY MR. BAKER:

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

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

14 [REDACTED], [REDACTED]  
15 [REDACTED].

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

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

23 (Recess.)

24 The Witness. So just one clarification.  
25 You bring up validation? The validation process is

1 different than the opening process. The validation  
2 process --

3 Mr. Berger. Hold on.

4 [REDACTED]. The source validation techniques  
5 are classified. I don't want to get into that.

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

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

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

15 BY MR. SOMERS:

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

19 A. Validate.

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

1 from anything that this gentleman is talking about.

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

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

12 The Witness. Yes.

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

15 BY MR. SOMERS:

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

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

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

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

1 to London. I know he did work for them.

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

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

11 A. Correct.

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

16 A. Correct.

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

22 A. Can you read that again?

23 Q. "Handling agent 1 said he expected Steele  
24 to alert him if any other clients were 'bad actors'  
25 such as organized crime figures or others that would be



1 of concern to the FBI. Handling agent 1 stated that  
2 Steele never provided any such notification to him."

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

12 Q. Did you ever discuss Oleg Deripaska with  
13 Steele?

14 A. Yes.

15 [REDACTED]. Before you get to that one, can  
16 you give us the page reference?

17 Mr. Somers. I'm sorry, I don't have a  
18 page. It's footnote 202. I don't have the page number  
19 here.

20 Mr. Don. Thank you.

21 BY MR. SOMERS:

22 Q. What was the discussion about Oleg  
23 Deripaska?

24 A. He was endeavoring to try and get us to  
25 meet with Oleg Deripaska. Part of what we did, we, the

1 bureau, was meeting with or setting up meetings and  
2 conducting meetings with oligarchs to try and see if  
3 they would be cooperative, provide information, help  
4 with ongoing investigations or provide any type of  
5 intelligence.

6 So that was an ongoing effort within the

7 [REDACTED]  
8 [REDACTED]. And one of the individuals he was trying to set  
9 up a meeting with was Deripaska.

10 Q. Was Deripaska a client of Steele's?

11 A. Not as far as I know. I knew that Steele  
12 had a relationship from, I think, a prior case or prior  
13 business deal with Deripaska's attorney. I forget his  
14 name.

15 Q. Why exactly did you close Steele as a  
16 source? I know the Mother Jones article, but what  
17 about that?

18 A. It told me that he was completely  
19 untrustworthy at that point as a source and could not  
20 be handled and would not be reliable. Not that his  
21 information or the intelligence he provided was bad.  
22 But that as a source, I wasn't going to handle him.

23 Q. Who alerted you to the Mother Jones article  
24 again?

25 A. It was the supervisor special agent in

1 headquarters.

2 Q. Is that SSA-1?

3 A. I'm not sure. I don't know who SSA-1 --

4 Q. Was it [REDACTED]?

5 [REDACTED]. Which is not -- it's actually not

6 [REDACTED]. He's not going to be able to --

7 Mr. Somers. Is there a way you can inform  
8 him who SSA-1 is so I can ask him if SSA-1 is who gave  
9 him the -- or maybe it's an adjure point. I don't need  
10 to ask the question. I'm just trying to --

11 [REDACTED]. Let me step back for one second.

12 Mr. Somers. Yeah. Can you just tell him  
13 who SSA-1 is and I can ask him if SSA-1 is who provided  
14 him the Mother Jones article?

15 [REDACTED]. Yeah. Let's step back and have a  
16 conversation.

17 Mr. Somers. Okay.

18 (Pause in the proceedings.)

19 BY MR. SOMERS:

20 Q. Did SSA-1 provide you with the Mother Jones  
21 article?

22 A. Yes.

23 Q. What was Steele's reaction to you closing  
24 him as a source or letting him know you were probably  
25 going to close him as a source?

1           A.       He was frankly more upset.  And his  
2 explanation as to why he went to the press was really  
3 what was driving him at that point.  So I asked him was  
4 this you?  He said, yes, it was.  And I said why would  
5 you do this?  His response was, and -- it's quoted in  
6 the report that I did to the file.  I just -- I'm  
7 paraphrasing, so if it's not exactly correct --

8           Q.       Yeah.

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

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

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

19 BY MR. BAKER:

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

23          A.       I don't know.  But all I can say is I asked  
24 him, look, are you upset because you haven't gotten the  
25 15,000, they money yet?  He said no, that isn't it.

1 It's because of what your organization or what Director  
2 Comey did on Friday, which was coming out publicly and  
3 it was about the fact that that would sway things one  
4 way or the other.

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

8 BY MR. SOMERS:

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

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

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

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

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

1 BY MR. BAKER:

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

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

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

9 A. Yes.

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

12 A. Hundred percent.

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

16 A. Hundred percent.

17 BY MR. SOMERS:

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

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

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

24 A. So I received the reporting from Steele on  
25 July 5th. I get a phone call from Bruce Ohr at some

1 point early to mid August of 2016. I had not spoken to  
2 Bruce about this. I -- Bruce -- I didn't tell Bruce I  
3 was going to London. It was not my -- whenever I  
4 visited Steele, I didn't tell Bruce. That was not a  
5 process. I didn't talk to him about it.

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

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

20 But he says me and my boss or me and my  
21 bosses want to make sure that this is being handled.  
22 So at that point, obviously, it's Bruce and his boss or  
23 somebody higher are aware of this information that  
24 Steele reported. My response was, and this is what I  
25 had been told at that point, is that there is a team at

1 headquarters looking into it. And I said, Bruce, as  
2 far as I understand, there's a team or a group at  
3 headquarters who are looking into this. And that was  
4 it. That's all I said. And then that was the extent  
5 of the phone call. Because it was something like,  
6 okay, good. And that was it.

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

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

25           A.       At this point -- yes, it would surprise me.



1 He told me, me and my boss or me and my bosses. So I  
2 assumed at the time that his boss or bosses were aware.

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

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

18 Q. When was that?

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

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

23 A. Well, no. I was -- he said that -- I  
24 go -- I looked at him. I said first -- well, because I  
25 think he -- he finally -- it's my opinion -- understood

1 the gravity of the whole situation, I guess, at that  
2 point. I don't know.

3 BY MR. BAKER:

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

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

12 Q. Thank you.

13 BY MR. SOMERS:

14 Q. I'll just try and read this to you. On  
15 page 291 of IG report, it states that on November 23rd,  
16 2016 Crossfire Hurricane update meeting, there was a  
17 discussion concerning a 'strategy' for engagement with  
18 handling agent 1 and Ohr.

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

22 A. Not once.

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

25 A. No.

1 Q. -- engage with Steele again?

2 A. Nope.

3 Mr. Berger. Just let him finish.

4 The Witness. Sorry.

5 BY MR. SOMERS:

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

8 A. No.

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

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

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

23 A. Right. So he was not prone to -- I don't  
24 want to say panic, but to being hurried or rushed or  
25 trying to meet immediately as many sources do, saying

1 we have to meet now, we have to meet now. He was not  
2 that type.

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

9 Q. Did you need anyone's permission to do that  
10 or were you able to just get on a plane?

11 A. Just needed LEGAT's permission. That's it.

12 Q. Did you need to talk to anyone in London  
13 before you were able to --

14 A. And then advise the ALAT that I was going  
15 to be in the AOR.

16 Q. Just because there's some reporting in the  
17 press about this, did you have to consult Victoria  
18 Nuland?

19 A. I don't even know -- I know who she is.  
20 I've never spoken to her.

21 Q. Never spoken to her about Steele?

22 A. No.

23 Q. So Steele gives you one report at the July  
24 5th meeting?

25 A. I think it was -- I think it was two, if I

1 recall correctly.

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

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

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

13 A. Yes.

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

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

18 Q. Yeah.

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

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

25 A. I don't know. I know I have seen the term

1 "raw intelligence" before.

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

4 A. Without a doubt.

5 Q. What does that mean to you?

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

11 Q. So that would be consistent with -- on page  
12 381 of the IG report said, "Steele told us that it was  
13 his hope and expectation that the FBI would have used  
14 its resources to investigate the report" -- "the report  
15 information."

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

18 A. Without a doubt.

19 Q. So my time is almost up here.

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

23 A. Me personally?

24 Q. Yeah.

25 A. You can't use one source's reporting as the

1 basis for an application, I mean, in this case, a FISA  
2 court. But in my experience, wiretap, you can't use  
3 one single source. It has to be corroborated.

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

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

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

10 Mr. Somers: It's up to them.

11 (Recess.)

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

14 EXAMINATION BY MINORITY STAFF

15 BY MS. ZDEB:

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

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

1 A. Okay.

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

5 A. Yes.

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

13 Did you cooperate with the Inspector  
14 General's investigation?

15 A. Yes, I did.

16 Q. Were you interviewed by the Inspector  
17 General?

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

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

23 A. Yes.

24 Q. So you were interviewed by OIG how many  
25 times? Was it once? More than once?



1 A. Two to three times, I think.

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

4 A. A few hours each time.

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

7 A. Yes.

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

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

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

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

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

22 A. In terms of documents or --

23 Q. Documents or testimony.

24 A. They didn't complain about needing more.  
25 They stated they'd like to meet with you again and I

1 did.

2 Q. And you did meet with them again?

3 A. Yes.

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

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

13 Ms. Zdeb. That's right.

14 Mr. Berger. Okay. So do you understand?

15 The Witness. Yes.

16 BY MS. ZDEB:

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

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

23 Q. And did you?

24 A. Yes.

25 Q. Did you provide any comments to OIG on

1 those portions?

2 A. Yes, I did.

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

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

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

15 A. I believe they did.

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

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

24 Q. But sitting here today, you can't recall  
25 sort of specific examples of things that you pointed

1 out to OIG as being incorrect with respect to your  
2 testimony that they didn't address in their final  
3 report?

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

6 Q. Okay. Thank you.

7 So turning back to the discussion about  
8 your relationship with Christopher Steele that we just  
9 spent some time discussing before the break.  
10 Mr. Somers asked you about the July 2016 meeting with  
11 Mr. Steele and in particular about some of the other  
12 reporting that he provided to you during the course of  
13 that meeting in addition to report AD, which is the  
14 election reporting.

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

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

22 Q. Okay.

23 A. -- in terms of the nonelection related  
24 material, I don't recall as I sit here what was in that  
25 other report.

1 Q. Okay.

2 A. But I do recall he had provided information  
3 of that nature at some point.

4 Q. And if you testified truthfully and  
5 accurately to OIG during your interviews, that among  
6 the things Christopher Steele provided to you during  
7 that July meeting was reporting on Russian interference  
8 in European political affairs, you have no reason to  
9 dispute OIG's characterization of that sitting here  
10 today?

11 A. No, I do not.

12 Q. And according to the OIG report, you also  
13 provided records indicating that Mr. Steele had  
14 provided reporting on Russian athletics -- doping in  
15 Russian athletics.

16 A. Correct.

17 Q. Is that correct?

18 A. Yes.

19 Q. And then your records have also indicated  
20 that Steele provided general -- reporting that reported  
21 generally on Russian cyber activities; is that correct?

22 A. Again, I know he had. As I sit here right  
23 now, I don't recall if it was exactly at that meeting  
24 or some other point, but I'm not going to dispute what  
25 was in the OIG report.

1 Q. Do you recall whether these were all  
2 written reports? I know you said earlier that you  
3 generally recall being given two written reports in the  
4 meeting. One was the election reporting.

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

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

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

14 A. I don't want to say I'd be guessing, but if  
15 it was at that meeting, I do recall, I think, [REDACTED]  
16 [REDACTED]  
17 [REDACTED], [REDACTED]  
18 [REDACTED], I believe. If I'm  
19 incorrect, then I'm confusing it with a different  
20 report.

21 BY MS. SAWYER:

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

24 A. [REDACTED].

25 Q. So to the best of your recollection, it was

1 a report on Russian Security Services compromising a  
2 U.S. citizen's --

3 [REDACTED]. Again, I don't -- we're talking  
4 about -- unless we get the report, we're talking about  
5 something that could be potentially classified and also  
6 something that could be part of an ongoing  
7 investigation or part of an investigation that could be  
8 charged in.

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

13 BY MS. SAWYER:

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

20 And then the footnote says, "Handling agent  
21 1's records indicate that during this meeting, Steele  
22 also provided handling agent 1 with reporting on  
23 Russian doping in athletics, Russian cyber activities  
24 and Russian interference in European political  
25 affairs."

1 Understood I don't want to get into  
2 classified information in an unclassified setting. I  
3 just want, for the record, it to be reflected we did  
4 ask for the opportunity to go into a classified setting  
5 as needed. So we'll try to elevate it and not get into  
6 details. But do you have a recollection of whether or  
7 not any other reporting had to do with Russian cyber  
8 intrusion into elections?

9 A. Any other reporting.

10 Q. From Christopher Steele.

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

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

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

18 BY MS. ZDEB:

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

24 A. So, again, right now in terms of whatever  
25 was in those two reports, which is well documented,



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

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

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

21 A. This was the first occasion I was involved  
22 in anything in terms of Russian election interference  
23 of U.S. elections. There may have been a report, and  
24 all of the reports that were contained and that are  
25 contained in the delta file, the reports that I

1 prepared or that he provided after talking or meeting  
2 in person, there was one, I believe, regarding -- and  
3 this was not around this time period, it was at some  
4 other time period -- interference, Russian interference  
5 in European, western European elections, I believe. Or  
6 at least with European political parties.

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

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

16 A. He did not.

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

21 A. I have no idea.

22 Q. In the OIG report, on page 273, Mr. Ohr  
23 told the Office of Inspector General that in August of  
24 2016, he contacted a criminal division deputy attorney  
25 general about Steele's reporting because it was, quote,

1 "scary" and he was quote, "unsure what to do with it."

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

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

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

16 A. I have no evidence about that either way.

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

19 (Discussion off the record.)

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

21 BY MS. ZDEB:

22 Q. Turning back, I think, to the summer of  
23 2016. I'm curious if you recall when you first started  
24 hearing anything having to do with Russian election  
25 interference. Was it at the July 5th meeting with

1 Christopher Steele?

2 A. Yes.

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

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

13 Ms. Zdeb. So I --

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

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

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

24 Well, hang on a second. If your client  
25 takes issue with the characterization that I,

1 Mr. Somers, or anyone else around this table is making  
2 something that the OIG wrote, we're happy to provide  
3 him with a copy of the excerpt we're talking about.  
4 And obviously, [REDACTED], you're free to take issue  
5 with it yourself. Is that fair?

6 Mr. Berger. Right. It seems to be a  
7 premise of your question. It's not the import of your  
8 question. That's the concern that I have.

9 Why don't you try to repeat your thought  
10 and your question. Let's see how it lays out.

11 BY MS. ZDEB:

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

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

23 Q. So when you started having those meetings  
24 with the Crossfire Hurricane team, what was your  
25 understanding as to why they were specifically

1 interested in receiving additional reporting on  
2 election -- on election interference from Mr. Steele?

3 A. So I first spoke to the Crossfire Hurricane  
4 team supervisor in the middle of September. I didn't  
5 meet with them until October when they came [REDACTED]. I  
6 provided the reports directly to -- I provided the  
7 reports to FBI executive management prior. But in  
8 September, provided the reports directly to the  
9 Crossfire Hurricane team. And then didn't hear  
10 anything.

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

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

20 A. Well, again, the reporting -- according to  
21 them, they told me that it corroborated other  
22 information that they had developed in the  
23 investigation. I wasn't involved in the investigation,  
24 wasn't about to get into details with them. That  
25 wasn't my place. And they said they wanted to

1 facilitate -- wanted me to facilitate a meeting with  
2 the source, which I did [REDACTED].

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

6 Q. Okay. Switching gears again.

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

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

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

1 there was tons of evidence of bias.

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

5 A. In no way, shape, or form.

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

8 A. I do not.

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

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

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

25 Q. It has also been alleged that the FBI



1 purposefully used the power of the federal government  
2 to wage a political war against a presidential  
3 candidate they despised.

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

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

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

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

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

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

22 Q. Was your goal to hurt Trump politically?

23 A. Not in any way.

24 Q. What was your goal?

25 A. To be professional and to disseminate

1 information that a source provided to a group of  
2 individuals who needed to see it.

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

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

7 Q. Finally, there have also been allegations  
8 that the purpose of Crossfire Hurricane was to either  
9 change or to nullify the results of the 2016 election.

10 Do you have any evidence that the goal of  
11 Crossfire Hurricane was in fact to change or to nullify  
12 the results of the 2016 election?

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

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

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

22 BY MS. SAWYER:

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

1 A. Right.

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

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

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

10 Were you otherwise involved in the  
11 Crossfire Hurricane investigation?

12 A. No.

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

15 A. I know two of the individuals.

16 [REDACTED]. Again, so long as we're not  
17 naming --

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

21 BY MS. SAWYER:

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

24 A. Also -- I apologize -- the individuals who  
25 came [REDACTED] who were not SSA-1 or case agent 1, but

1 other individuals.

2 Q. And did either of them ever express to you  
3 what they were investigating and why?

4 A. Generally, yes.

5 Q. And what did they tell you generally?

6 A. It was -- and we didn't get into specifics,  
7 but that they had information that Steele corroborated  
8 regarding possible compromised individuals in the Trump  
9 campaign.

10 Q. Did they indicate anything about Russian  
11 election interference?

12 A. I think that was the overall, in a very  
13 general sense, but certainly not in specifics. And I  
14 didn't ask them for specifics about their  
15 investigation.

16 Q. And why was that that you did not ask about  
17 the specifics of the investigation?

18 A. That was not my role. I was not a part of  
19 the investigation. My role was to facilitate the  
20 passage of information and to facilitate meetings with  
21 Steele.

22 Q. Did you have any involvement at all in  
23 Special Counsel Mueller's investigation?

24 A. No.

25 Mr. Berger. Can I take a moment?

1 Ms. Sawyer. Sure.

2 Mr. Berger. Just be right back.

3 (Pause in the proceedings.)

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

6 The Witness. Just to clarify one point.  
7 In terms of what I was told by the supervisor in  
8 headquarters as to Steele's information, it was that  
9 Steele's information corroborated other information  
10 that they had developed to begin the investigation. BY  
11 MS. SAWYER:

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

14 A. No.

15 Q. And you didn't ask?

16 A. No.

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

19 The Witness. Right.

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

22 The Witness. Right. I just wanted to  
23 clarify that point. It was Steele's information that  
24 he had provided to me that I gave to the Crossfire  
25 Hurricane team that I was told corroborated information

1 they had prior from some other source.

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

6 Mr. Berger. Thank you very much.

7 Ms. Zdeb. Off the record.

8 (Brief pause in the proceedings.)

9 EXAMINATION BY MAJORITY STAFF

10 BY MR. SOMERS:

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

14 A. Yes.

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

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

22 A. No.

23 Q. Okay. Just to back up. So Steele's given  
24 you intelligence reports over the years, I think, you  
25 testified to the first time we were speaking.

1           What do you usually do with those reports  
2 Steele gives you, an intelligence report? What's  
3 the --

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

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

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

25           A.     Yes.

1 Q. And you were able to enter information into  
2 the system?

3 A. Yes.

4 Q. What -- generally, what types of things are  
5 in the delta system about a CHS?

6 A. It's all the administrative paperwork, the  
7 opening, the closing, all the admonishments, payments  
8 and then the reporting.

9 Q. So I asked you what you usually do with  
10 Christopher Steele intelligence reports. What did you  
11 do with the July 5th -- the report you received at the  
12 July 5th meeting?

13 A. So this information struck me as different  
14 because of the nature of the reporting in that it was,  
15 even though unverified, not corroborated, sensational.  
16 I don't want to say the word "explosive," but had to be  
17 treated -- at least in my judgment -- had to be treated  
18 with a little more -- just had to be treated  
19 differently.

20 I took a few days to try and figure out how  
21 to handle this. I spoke to the LEGAT, my direct  
22 supervisor and advised them what I wanted to do was to  
23 reach out to an experienced and trusted colleague in  
24 New York to get some advice as to how to deal with this  
25 information even though it's not technically sensitive



1 and, again, unverified/uncorroborated. But I wanted to  
2 be discreet with it, because once it goes in the  
3 system, you don't know who sees it and it's not  
4 controlled and you don't know where it goes.

5           And particularly at that time in July of  
6 2016, it was -- the environment was heated and I didn't  
7 want to add to it not knowing who would see it and not  
8 knowing what was going to happen to it. My idea was to  
9 get it to somebody, if that somebody existed, and put  
10 it in their hands so that they had it directly.

11 BY MR. BAKER:

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

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

1 do, got the signoff from the LEGAT and contacted the  
2 ASAC in New York.

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

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

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

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

23 A. An AD probably definitely has that access  
24 and interaction. However, I wouldn't be calling the AD  
25 directly. At that point, the AD had left -- the prior

1 AD had left. I had no conversations with that AD.

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

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

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

25 Q. Right.

1           A.       It had to get to headquarters.  If there  
2 were somebody dealing with is this, they would be in  
3 headquarters.  [REDACTED]

4 [REDACTED]  
5 [REDACTED]  
6 [REDACTED]  
7 [REDACTED]  
8 That's, I think, part of the reason why it took so long  
9 to get this information to the supervisor in September.  
10 But the point being, again, it wasn't to have it reside  
11 in New York.  That wasn't my goal.

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

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

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

25           A.       No.

1 Q. Okay. And you indicated that the AD, I  
2 think you earlier said Mike Welch. You just indicated  
3 that he had left and a new AD had come in?

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

6 Q. And what was their name?

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

8 Q. Thank you.

9 BY MR. SOMERS:

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

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

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

18 A. Right.

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

21 A. So I wrote it up. The report of the  
22 meeting and those reports were ultimately put into the  
23 delta system. I'm not sure if it was a week later, two  
24 weeks later. But the first transmission would have  
25 been to somebody else was July 28th, 29th.

1           So July 5th, I received the information.  
2 July 12th I called the ASAC in New York to seek his  
3 advice. He says sit tight. Let me look into this and  
4 figure it out and I'll get back to you. He gets back  
5 to me July 28th, 29th, and says send me the reports and  
6 we're going to get them -- we'll do what we need to do.

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

14 BY MR. BAKER:

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

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

22 BY MR. SOMERS:

23           Q.       Excuse me. By the ASAC.

24           A.       By the ASAC.

25 BY MR. BAKER:

1 Q. Do you know who the EAD was? Which EAD it  
2 went to?

3 A. I don't. I don't know who it was.

4 Q. Do you know which program that EAD would  
5 have had?

6 A. Still don't.

7 BY MR. SOMERS:

8 Q. And Sweeney was the ADIC at the time?

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

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

20 A. Yes.

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

24 A. Okay.

25 Q. And according to those notes, Steele told

1 you that quote "Democratic party associates were pinged  
2 for Fusion GPS's research. The ultimate client was the  
3 leadership of the Clinton presidential campaign and the  
4 candidate was aware of Steele's reporting."

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

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

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

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

23 A. Yes.

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



1 A. Yes.

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

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

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

13 Q. But it was definitely political in your  
14 mind.

15 A. Without a doubt. Not even a question.

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

19 A. Yeah. I mean, it was obvious.

20 Q. Okay.

21 A. And it was something I spoke about with  
22 Steele and it's something that the ASAC and I spoke  
23 about as well, that it was completely obvious that this  
24 was information intended to be used by one of the  
25 parties against the other.

1 Q. Was that obvious to the ASAC as well?

2 A. Yeah.

3 Q. What about, did you convey that the  
4 first -- I think the SSA-1, did you convey that to  
5 SSA-1 the first time you talked to him about the  
6 information?

7 A. I'm sure I did.

8 Q. Did he agree, to your recollection, that  
9 impression that it was politically motivated?

10 A. To my recollection, it was a matter of  
11 trying to figure out who was behind it. And it was  
12 completely obvious to all of us whoever was involved in  
13 these conversations what the purpose was of the  
14 information was to be used by one political party or  
15 another.

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

19 Q. Why not just ask Steele?

20 A. I did.

21 Q. You did?

22 A. Yeah. Of course I did. He didn't know.

23 Q. He didn't know?

24 A. He didn't know the name of the firm. He  
25 just knew GPS and Glen Simpson. That was the first

1 question I asked him.

2 BY MR. BAKER:

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

5 A. Yes.

6 Q. That was his universe as far as --

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

11 BY MR. SOMERS:

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

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

25 So I had spoken to the assistant division

1 counsel in New York and then at some point, just in  
2 terms of -- not about the substance of the reports, but  
3 just getting the reports to him. And then at some  
4 point in August, he advised me and I spoke to the ASAC  
5 of counter-intel in New York, who then advised that  
6 there is a team in headquarters that will need to see  
7 these reports.

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

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

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

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

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

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

24 A. I'm sorry, I was talking about case agent  
25 1. I apologize. Supervisor SSA-1 I did not know.

1 Q. Did not know. Case agent 1 --

2 A. Case agent 1, I knew who he was. We had  
3 never worked together, but he had been in New York for  
4 a while.

5 Q. What was his reputation in New York?

6 A. His reputation was as a solid agent.

7 Q. Not someone who would shade facts?

8 A. No. Again, I never worked with him, but he  
9 did not have that reputation.

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

16 Why did you give him this instruction?

17 A. I wanted to be very clear from the  
18 beginning that this information -- he was also  
19 continuing on behalf of GPS to collect more  
20 information. I wanted to be very clear so some day  
21 when somebody asks me, I did not task him to collect  
22 this information in any way, shape, or form.

23 And that any further information he  
24 collected, until somebody who had the authority to make  
25 that decision was not being done on behalf of [REDACTED]

1 [REDACTED], Legat [REDACTED] or the FBI.

2 Q. Is that why you further -- but I can give  
3 you the quote, but I think you recall -- is that why  
4 you further asked him not to send you any more reports,  
5 information until you got back to him?

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

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

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

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

25 Q. Did press come up?

1           A.       That did not.   Specifics did not.   He  
2    didn't say anything as to any plan about what would  
3    happen.   He did not know.   He was at that point just  
4    collecting the information.

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

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

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

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

21   BY MR. BAKER:

22          Q.       When you were on the phone or otherwise  
23   communicating with SSA-1 or case agent 1, I mean, I'm  
24   guessing that this information that is now going to  
25   this team at headquarters similar to what I think you

1 indicated your initial assessment was pretty  
2 interesting stuff, did you ever get a sense from them  
3 that this had been elevated up in the headquarter  
4 building to a very high level?

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

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

16 BY MR. SOMERS:

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

19 A. McCabe.

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

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

24 Q. It had been elevated to the deputy director  
25 level?



1           A.       From that e-mail, I couldn't -- as I  
2 recall, it wasn't specific that these reports have gone  
3 to these people. It's that these people are read into  
4 this investigation.

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

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

8           Q.       So McCabe was on the list you recall?

9           A.       (Nodding head.)

10          Q.       Mike Steinbach?

11          A.       I don't recall.

12          Q.       Bill Priestap?

13          A.       Yes.

14          Q.       Peter Strzok?

15          A.       Yes.

16          Q.       Jonathan Moffa?

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

18          Q.       Do you know Jonathan Moffa?

19          A.       I think I met him once, maybe.

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

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

25          Q.       At the July 5th meeting, did you read the

1 election report while you were meeting with Steele?

2 A. Yes.

3 Q. Did you ask him anything about his  
4 subsources?

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

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

23 A. He was -- he introduced us to [REDACTED]  
24 individuals [REDACTED]  
25 [REDACTED] provided information

1 regarding an individual in New York who was on the FIFA  
2 executive committee who -- that initially gave us the  
3 impetus to really start the case.

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

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

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

18           A.       Not with me.

19           Q.       Not with you?

20           A.       No.

21           Q.       Were you aware who the primary subsource  
22 was?

23           A.       No.

24           Q.       So you would have no knowledge of whether  
25 Steele had used his primary subsource in other reports

1 he'd given you about other matters?

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

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

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

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

24 A. That was it.

25 Q. Phone calls?

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

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

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

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

24           A.       Yeah. But I wouldn't call it pressing. He  
25 definitely asked, you know, what's going on? What's

1 happening? And I said, you know, I'm trying to figure  
2 it out.

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

6 A. No.

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

10 A. No.

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

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

19 Q. About whether that was possible?

20 A. No. About just in general, you know,  
21 whether he would be receptive. My response was I  
22 hadn't spoken to him for months and that they would  
23 have to -- if they were going to do it, they should be  
24 very careful because I didn't know what his angle would  
25 be.

1 Q. That was your only interaction with the  
2 special counsel?

3 A. Yes.

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

6 A. Only from reading his name in the press.

7 Q. So you had no interactions with him?

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

9 Q. Are you familiar with [REDACTED]  
10 University?

11 A. I am.

12 Q. What is [REDACTED]?

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

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

24 Q. So it's definitely connected to western law  
25 enforcement?

1           A.       It's connected to [REDACTED] law enforcement  
2 and they have had speakers from the FBI there. It is  
3 very much similar to a John Jay College in New York,  
4 which is a very law enforcement-based institution.

5 BY MR. BAKER:

6           Q.       It's a degree-granting institution?

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

12 BY MR. SOMERS:

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

15          A.       Yes.

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

19          A.       I do not.

20          Q.       You've worked with him?

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

24          Q.       No interactions on Crossfire Hurricane?

25          A.       No.



1 Q. Peter Strzok?

2 A. Never met him. Never spoke to him.

3 Q. Do you know who [REDACTED] is?

4 A. I do know [REDACTED].

5 Q. Did you work for [REDACTED] at all on  
6 Crossfire Hurricane?

7 A. On Crossfire, no. We worked together in  
8 Rome. He was assigned to our [REDACTED] --

9 Q. Assigned to ALAT [REDACTED]?

10 Did you have interactions with case agent  
11 2?

12 A. Case agent 2? I'm not even sure who case  
13 agent 2 is.

14 Q. Case agent 1 you had interactions with?

15 A. (Nodding head.)

16 Q. Is case agent 1, so we can avoid all this,  
17 is he the only case agent you had involvement with?

18 A. So case agent 1 --

19 Q. Only SA?

20 A. Supervisor 1 and then the agent who came to  
21 [REDACTED] to debrief Steele. So there were three agents who  
22 came to [REDACTED] from headquarters. One was a case agent,  
23 one was a unit chief, I believe, and the other one was  
24 an IA.

25 Q. Had you ever worked -- with any of the

1 people that came to [REDACTED], had you ever worked with any  
2 of them before?

3 A. Never.

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

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

7 Q. About the [REDACTED] meeting?

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

14 BY MR. BAKER:

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

18 A. That is what Steele was paid the expenses  
19 for. On two occasions, there were meetings set up in  
20 another country. There was another individual that was  
21 being -- who would meet with us regarding some -- what  
22 numerous people believed to be very interesting  
23 information that Steele was facilitating the meeting.  
24 And on two occasions at the 11th hour, the people who  
25 were supposed to come from headquarters just didn't

1 come.

2 Q. Do you have any sense of the reason that  
3 they didn't show?

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

9 [REDACTED]. We can consult.

10 The witness. No, I'm fine. That's the  
11 answer. Thank you.

12 BY MR. SOMERS:

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

15 A. That was in [REDACTED].

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

17 A. No. It was an offsite location.

18 Q. Offsite?

19 A. Not classified scenario.

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

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

24 Q. No one else with Steele?

25 A. No. He was by himself.

1 Q. What was the -- from the FBI's perspective,  
2 what was the purpose of the meeting?

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

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

14 Q. You learned of that in the meeting?

15 A. Yeah.

16 Q. So --

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

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

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

1 possible.

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

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

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

14 Q. Did he express any hesitancy about the  
15 meeting?

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

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

25 A. So at the meeting, the case agent then

1 offers up, and I had no idea he was going to do this.  
2 I don't know if the other guys did as well. You know,  
3 I'd like to thank you for -- telling Mr. Steele -- for  
4 your time and appreciate you coming to meet with us and  
5 so we'd like to compensate you \$15,000 to come to the  
6 meeting -- for coming --

7 Q. So he didn't know about that ahead of time?

8 A. I didn't know about it. I had no idea  
9 until it was mentioned.

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

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

20 BY MR. BAKER:

21 Q. So it's a lot of money for a criminal case  
22 meeting?

23 A. Yeah. Oh yeah.

24 Q. But maybe not for a --

25 A. Maybe not. And I can't say that it is

1 because this was the first such meeting that I've ever  
2 been involved of that nature.

3 BY MR. SOMERS:

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

8 A. So we had spoken either by IM. I don't  
9 know if there was a secure video conference call, maybe  
10 one, just in terms of they wanted to get an idea of  
11 what Steele was about. Which completely makes sense.

12 And I said here's his history, here's what  
13 he's done, here's the type of information he's  
14 provided. We talked about the FIFA investigation  
15 because it was big at that time. And then -- and what  
16 he had done and where he had come from in his prior  
17 career.

18 BY MR. BAKER:

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

25 A. Not that I recall. And in terms of that

1 communication, again, it was a list of individuals who  
2 were read into the Crossfire Hurricane investigation.  
3 I don't believe it said these people have seen the  
4 reports.

5 Q. Right. I'm clear on that. Thank you.

6 BY MR. SOMERS:

7 Q. In terms of things that came up during the  
8 October 3rd meeting, did the Crossfire Hurricane team  
9 probe Steele at all on the chances that the information  
10 in the election reporting was Russian disinformation?

11 A. I don't want to say no. It was -- the  
12 meeting itself lasted a couple of hours and pretty  
13 in-depth. The agent who was there and the analyst were  
14 pretty much subject matter experts and they were going  
15 through it all. I just can't recall yes or no as I sit  
16 her right now.

17 Q. Was there some reason the meeting was only  
18 two and a half, three hours long? Could it have gone  
19 longer?

20 A. No. I mean, the meeting finished in its  
21 natural course.

22 Q. But there was no hard stop on it?

23 A. No, there was no hard stop.

24 Q. What did they ask him about his sources?

25 A. They said we need to know your source base.



1 We've got to verify this. And ultimately, if we're  
2 going to go forward, we're going to have to know your  
3 sources. And he said, look, I'm very leery to divulge  
4 my sources and made a point of saying that.

5 Q. Did he say he wouldn't?

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

8 BY MR. BAKER:

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

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

13 BY MR. SOMERS:

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

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

23 In terms of at the meeting, I don't recall  
24 if they did or didn't at this point. As I sit here  
25 now, I can't recall if they did or didn't bring that

1 up.

2 Q. Do you think Steele would have answered it  
3 if they asked him the question, were you the source for  
4 the September 23rd Yahoo News article?

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

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

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

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

18 A. Right.

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

20 A. No.

21 Q. -- anything?

22 A. No. In fact, he mentioned that he had  
23 provided information to Jonathan Wiener at State. And  
24 this was just -- this was maybe a day or two before the  
25 meeting or maybe a couple days before the meeting. He

1 said I just want to let you know I've provided some  
2 information to Jonathan Wiener at State. I said okay.

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

10 Q. Just continuing on that subject of what  
11 about discussions of who his client was at the October  
12 3rd meeting?

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

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

21 BY MR. BAKER:

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

1 A. Right.

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

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

14 Q. And your source, Christopher Steele,  
15 understood?

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

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

20 A. You can't commit -- well --  
21 [REDACTED]. Go ahead.

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

1 relationship of this nature is confidential. Things of  
2 that nature.

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

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

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

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

15

16

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

20 A. Yes.

21 Q. The admonishments, are they witnessed, too?

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

25 Q. Thank you.

1 BY MR. SOMERS:

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

9 Did Steele ever raise a confidentiality  
10 agreement with you?

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

16 Q. But you don't recall Steele in the October  
17 3rd meeting saying I'm not telling you. I've got a  
18 confidentiality agreement?

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

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

23 Mr. Somers. Absolutely.

24 (Recess.)

25 BY MR. SOMERS:

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

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

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

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

17 Do you recall discussion of the three  
18 buckets?

19 A. Yes.

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

24 A. Those would be taskings. Yes.

25 Q. What did Steele say in reaction to that

1 tasking?

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

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

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

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

17 A. Tasking --

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

20 [REDACTED]. I'd say source validation  
21 methods are classified.

22 The Witness. Okay.

23 BY MR. SOMERS:

24 Q. Did anyone on the Crossfire Hurricane team  
25 come back to you and ask you about, hey, where's this



1 information from the three buckets? Did they ask you  
2 to go ask Steele for information about the three  
3 buckets? Information that fell within the three  
4 buckets?

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

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

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

22 My belief and understanding was that at a  
23 certain point, if they were going to continue with him,  
24 they would end up going directly with him and I would  
25 be cut out.

1 Q. Did they come back to you with questions  
2 after that meeting to take to Steele?

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

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

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

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

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

20 A. Yes. That was definitely discussed. That  
21 was definitely discussed.

22 Q. And could Steele offer anything  
23 verification-wise?

24 A. That he would work to do it.

25 Q. But nothing came back to you?

1 A. Nothing that I saw.

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

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

9 Q. Well, let me ask it another way.

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

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

20 A. What the --

21 [REDACTED]. Sorry, during what timeframe?

22 BY MR. SOMERS:

23 Q. Prior to October 21st, 2016.

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

1 Q. Yes.

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

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

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

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

20 BY MR. SOMERS:

21 Q. Oh, yeah. Sorry.

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

25 Q. Okay. You didn't do any work for the

1 Crossfire Hurricane team on verifying anything in the  
2 dossier trying to identify who subsources were?

3 A. No.

4 Q. Trying to identify who the primary  
5 subsource was?

6 A. No.

7 Q. Were you asked by them --

8 A. To do that?

9 Q. -- to do that?

10 A. No.

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

15 A. No.

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

18 A. Only from newspapers.

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

21 A. The IG report?

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

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

25 Q. Are you aware that there were

1 inconsistencies between what Steele reported and what  
2 the primary subsorce revealed to the FBI --

3 A. I'm aware --

4 Q. -- during the interview?

5 A. -- that's what's reported.

6 BY MR. BAKER:

7 Q. You say you're aware that's what's  
8 reported. Do you have reason to believe it's other  
9 than what's reported?

10 A. No. I only say that because I only know  
11 from newspaper reports.

12 Q. Okay. Do you as a handling agent -- you  
13 indicated earlier that once you figured out where to  
14 send some of this stuff, that at some point you learn  
15 that the Crossfire Hurricane team is looking at this  
16 stuff.

17 Would you get any feedback or reporting  
18 from headquarters as the handling agent that a  
19 particular piece of information was in fact being used  
20 for some purpose to open another case, to go into a  
21 FISA?

22 A. Right. So generally, yes. Because as I  
23 mentioned at the beginning, that's how you kind of  
24 quantify and qualify --

25 Q. The value of the source.

1           A.       -- the value of the source.

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

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

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

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

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

24                    So that in terms of that small piece, the  
25 source handler generally has input as to that part of

1 the application. Again, this is wiretap applications  
2 that I'm explaining.

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

7 A. Right. Yes.

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

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

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

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



1 case.

2 Q. And are you aware that phrase apparently  
3 meant different things to different people?

4 A. As used here?

5 Q. Yes.

6 A. I mean, I'm aware that that -- in terms of  
7 how -- could you explain that a little more?

8 Q. That according to the IG report -- and I  
9 don't have an exact cite for it -- it sounds like that  
10 phrase, "used in criminal proceedings," did not always  
11 mean what it meant to you, that it meant different  
12 things to different people.

13 A. Now I understand the question.

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

20 Q. Thank you.

21 BY MR. SOMERS:

22 Q. [REDACTED], I forgot to ask you one thing  
23 about the October 3rd meeting. Page 114 of the IG  
24 report states that, "Handling agent 1 agreed that it  
25 was peculiar that the case agent 2 gave Steele an

1 overview of the Crossfire Hurricane investigation,  
2 including providing names of persons related to the  
3 investigation."

4           Why did you find that peculiar?

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

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

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

19           A.     Well, again, the idea is you're obtaining  
20 information that's unverified, uncorroborated. A  
21 source is a source and you don't know -- I mean, you  
22 have an idea or believe what their motivations are.  
23 But at the end of the day if their source is a source  
24 and there could be some agenda that you have no idea  
25 what's going on.

1           And so the more you provide to them, that  
2 can color things one way or the other and influence  
3 responses that we may get.

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

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

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

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

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

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

21          Q.     Did you know who the target was?

22          A.     I did not.

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

25          A.     It was either shortly before.  I can't -- I

1 can't tell you if it was just before that meeting or at  
2 some point in October, early/mid October.

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

12 Do you agree with that description?

13 A. Not all of it. No.

14 Q. What parts do you disagree with?

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

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

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

22 Q. That's in a footnote in the FISA report.  
23 That footnote goes on to say, "The identified U.S.  
24 person never advised Steele as to the motivation behind  
25 the research into candidate 1's ties to Russia."

1           We talked a lot about whether Steele  
2 revealed it was the DNC or the Clinton campaign that  
3 was his client. And you said he never revealed that.

4           A.     Right.

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

7           A.     No, he did not.

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

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

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

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

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

21                 Mr. Berger. No, I think we're good. We'll  
22 work through it if you're willing to. 15-minute break  
23 and we'll try, between the two of us, not to use more  
24 than maybe an hour and a half. I don't want to  
25 represent what you're going to use and I don't know

1 exactly what I'm going to use, but I don't think I have  
2 another hour, but I do need to take 15 minutes now.

3 (Recess.)

4 BY MS. MICHALAK:

5 Q. Good afternoon.

6 A. Good afternoon.

7 Q. Earlier you testified that you received an  
8 e-mail with a list of people that were read into the  
9 invest -- or read into the reports.

10 What was the date of that e-mail?

11 A. Read into the investigation.

12 Q. Right. Read into the investigation.

13 A. That had to be around September 21st,  
14 September 22nd. Give or take a day or two. Maybe a  
15 week. Within a week. But I don't know exactly. But  
16 it's that meeting the third week of September.

17 Q. The third week of September? Thank you.

18 BY MR. SOMERS:

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

25 A. My understanding was from that e-mail where

1 I saw the 20, 25 individuals listed were aware of the  
2 investigation. In terms of -- I was not -- we had no  
3 discussions in terms of, you know, on a day-to-day  
4 basis what was happening, who was seeing what, who was  
5 making decisions. I wasn't informed. I wasn't brought  
6 into conversations like that.

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

10 The IG report goes into what the primary  
11 subsource said about what the information he gave  
12 Steele. A few of the things the IG report says, "The  
13 primary subsource also stated that he/she never  
14 expected Steele to put the primary subsource's  
15 statements in reports or present them as facts. His or  
16 her information came from word of mouth and hearsay,  
17 conversation that he/she had with friends over beers  
18 and that some of the information such as allegations  
19 about Trump's sexual activities were statements he/she  
20 heard made in jest. The primary subsource also told  
21 WFO agent 1 that he/she believed that other subsources  
22 exaggerated their access to information and the  
23 relevance of that information to his/her request. The  
24 primary subsource told WFO agent that he/she takes what  
25 subsources tell him/her with a grain of salt."

1           If you had known this information when you  
2 received the reports from Steele, would you have done  
3 the same thing with them?

4           A.     Again --

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

7           Mr. Somers. Yes. I'm sorry.

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

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

20 BY MR. SOMERS:

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

24           A.     (Nodding head.)

25           Q.     The others on the Crossfire Hurricane team



1 at least that you were dealing with, did they have that  
2 understanding, that that's the nature of source  
3 reporting?

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

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

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

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

24 Q. The same question for SSA-1?

25 A. I didn't know him, so I didn't know his

1 reputation. So that I wouldn't have immediately  
2 assumed.

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

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

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

12 A. It's in a delta file.

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

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

25 Q. I think you told the IG that you would have

1 expected them to, quote, "turn the file upside down."

2 Is that --

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

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

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

14 Q. And the case agent that was in the October  
15 3rd meeting with Steele was -- I'm better with names  
16 that I am with case agent identifiers. But am I  
17 correct that he was a Russia expert?

18 A. He was definitely an expert.

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

21 A. I would assume he would be.

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

25 Did you reach out to anyone in the

1 intelligence community about Steele's reporting?

2 A. No.

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

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

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

11 A. No.

12 Q. And they never asked you to help  
13 corroborate?

14 A. No.

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

16 BY MR. BAKER:

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

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

1 levels?

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

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

17 Q. That would have you generate some official  
18 communication.

19 A. Exactly.

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

23 A. Right. No, I can't.

24 Q. And then I know initially you went to New  
25 York Field Office for guidance, sounding on what should

1 be the next step. And I know New York Field Office has  
2 an -- I think a special relationship with headquarters,  
3 special relationship in the bureau.

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

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

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

13 A. Nothing.

14 Q. -- until it came out publicly.

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

21 Q. Thank you.

22 BY MR. SOMERS:

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

1 A. The --

2 Q. The Hatch Act and how that might apply?

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

8 BY MS. MICHALAK:

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

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

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

25 Q. And was Jim Baker one of the names listed

1 in that read-in?

2 A. I can't recall right now.

3 MR. SOMERS: That's all we have.

4 EXAMINATION BY MINORITY STAFF

5 BY MS. ZDEB:

6 Q. I think we will be brief.

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

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

16 A. Okay.

17 Q. In particular, we have spent some time  
18 talking about the source characterizations statement in  
19 the FISA application. Among other things, it said that  
20 Steele's reporting "has been corroborated and used in  
21 criminal proceedings." We've talked about that a bit  
22 thus far. And according to the Inspector General, that  
23 statement overstated the significance of Steele's past  
24 reporting and was not approved by Steele's handling  
25 agent as required by the Woods procedures.



1           In response to that situation, the  
2 Inspector General recommended revising the Woods form  
3 in a variety of different ways, but primarily to  
4 emphasize the obligation to obtain written approval  
5 from CHS handling agents for all CHS source  
6 characterization statements. This is on page 415 of  
7 the IG report. Director Wray accepted this  
8 recommendation and has identified several steps that  
9 the bureau is taking to address it.

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

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

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

1 maintained in the confidential human sources file."

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

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

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

22           Q.     To the extent you haven't filled out one of  
23 these forms before, do you think it would be helpful to  
24 have that written reminder on the form itself as  
25 Director Wray has indicated?

1           A.       I've never done the Woods process.  
2 Wiretaps have something of a similar process. It's an  
3 extra step that if it ensures the integrity of the  
4 information going into the affidavit or the  
5 application, then it certainly can't hurt and would  
6 help.

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

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

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

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

25           A.       Again, from my perspective as the source

1 handler, you know, anything that can be done to ensure  
2 that the case team is going to be using the source  
3 information or characterization has to run it by the  
4 source handler, get the okay, and these steps certainly  
5 can help.

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

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

12           [REDACTED]. For the record, we, the FBI and  
13 [REDACTED] will have an opportunity -- we request to  
14 review the transcript at some point, but I assume here.

15           Mr. Somers. Yes, here. Yes. At any point  
16 if you want or the investigator's attorney want to  
17 review it, you can come here to review.

18           Mr. Berger. Thank you very much. I  
19 appreciate your hospitality.

20           (Whereupon, at 1:59 p.m., the instant  
21 proceedings were ceased.)

22

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25

# ERRATA

Notice Date:

Deposition Date: March 3, 2020

Deponent: Handling Agent 1

Case Name: Senate Judiciary Committee

Page:Line	Now Reads	Should Read
<u>15:1</u>	<u>?_____</u>	<u>_____.</u>
<u>45:18</u>	<u>affidavit_____</u>	<u>affidavits_____</u>
<u>46:9</u>	<u>About_____</u>	<u>about_____</u>
<u>50:25</u>	<u>supervisor_____</u>	<u>supervisory_____</u>
<u>51:4</u>	<u>Pianka_____</u>	<u>Pientka_____</u>
<u>51:6</u>	<u>Pianka_____</u>	<u>Pientka_____</u>
<u>96:1</u>	<u>Pinged_____</u>	<u>paying_____</u>
<u>103:24</u>	<u>weird sentence_____</u>	<u>_____</u>
<u>111:5</u>	<u>Missett_____</u>	<u>Mifsud_____</u>
<u>151:10</u>	<u>emailing_____</u>	<u>email_____</u>
<u>151:17-20</u>	<u>unclear sentence_____</u>	<u>_____</u>
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