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

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

FRIDAY, SEPTEMBER 18, 2020

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

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

(10:05 a.m.)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8 Mr. Poe. Very good.

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

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

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

10 [REDACTED] I do.

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

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

7 [REDACTED] Yes.

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

11 [REDACTED] Yes.

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

16 [No response.]

17 [Audio malfunction in the interview room.]

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

23 [No response.]

24 [Audio malfunction in the interview room.]

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

1 [No response.]

2 [Audio malfunction in the interview room.]

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

4 VOICE: I think you're on mute.

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

6 [Brief pause.]

7 [Audio malfunction in the interview room.]

8 [REDACTED] Hello?

9 Court Reporter: There we go.

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

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

14 Ms. Sawyer. Okay. Great.

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

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

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

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

24 [REDACTED] No.

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

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

7                Mr. Findlay. Sure. Thanks.

8                Mr. Poe. Thank you.

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

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

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

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

24               Mr. Findlay. Great.

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

1 or the identifier from the Horowitz report.

2 Mr. Findlay. Sounds good.

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

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

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

23 Mr. Poe. Thank you.

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

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

2 [No response.]

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

10 [REDACTED] January 2018.

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

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

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

19 [REDACTED] Portions.

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

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

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

4 [REDACTED] No.

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

14 [REDACTED] Yes.

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

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

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

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

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

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

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

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

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

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

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

1 take a short break then?

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

3 Mr. Somers. Okay.

4 Mr. Poe. Thanks.

5 Court Reporter. Going off the record or --

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

7 so.

8 [Pause.]

9 Mr. Poe. Mr. Somers?

10 Mr. Somers. Yes?

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

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

15 [REDACTED] I remember it.

16 Mr. Somers. Okay.

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

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

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

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

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

11 [REDACTED] In July of 2016? Yes.

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

14 [REDACTED] Correct.

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

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

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

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

3           Mr. Somers. Did you have any?

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

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

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

15           ██████████ Correct.

16           Mr. Baker. Thank you very much.

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

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

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

23           ██████████ Yes.

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

1 that be out of the ordinary?

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

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

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

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

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

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

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

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

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

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

23 [REDACTED] Correct.

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

1 the investigation?

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

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

6 [REDACTED] I think just a general --

7 Mr. Somers. Yeah.

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

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

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

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

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

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

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

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

1 meeting -- this first meeting you attended?

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

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

7 [REDACTED] To the best of my recollection.

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

10 [REDACTED] I do recall him being there.

11 Mr. Somers. Bill Priestap?

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

14 Mr. Somers. Lisa Page?

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

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

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

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

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

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

6 [REDACTED] I think that's fair.

7 Mr. Somers. Bill Priestap, regular attendee?

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

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

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

16 Mr. Somers. [REDACTED]?

17 [REDACTED] Yes.

18 Mr. Somers. [REDACTED]?

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

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

21 [REDACTED] Yes.

22 Mr. Somers. [REDACTED]?

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

24 Mr. Somers. Jim Baker?

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

1       there.

2             Mr. Somers.   Patricia Anderson?

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

5             Mr. Somers.   Sally Moyer?

6             [REDACTED]    Yes.

7             Mr. Somers.   Kevin Clinesmith?

8             [REDACTED]    Yes.

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

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

13            Mr. Somers.   George Toscas?

14            [REDACTED]    Yes.

15            Mr. Somers.   David Laufman?

16            [REDACTED]    Yes.

17            Mr. Somers.   Tash Gauhar?

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

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

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

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

4 [REDACTED] I can't remember anyone right now.

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

7 [REDACTED] I think that's fair.

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

9 [REDACTED] I don't remember Mary being there.

10 [REDACTED] Okay. Anybody?

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

15 [REDACTED] Not that I recall.

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

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

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

23 [REDACTED] Yes.

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

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

3 [REDACTED] I recall it more as an update meeting.

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

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

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

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

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

24 [REDACTED] I don't actually -- I don't remember.

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

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

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

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

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

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

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

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

21 [REDACTED] Correct.

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

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

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

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

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

9 [REDACTED] That's correct.

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

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

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

20 [REDACTED] Not that I remember.

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

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

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

7 Mr. Somers. Yeah.

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

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

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

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

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

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

23 [REDACTED] Not that I recall.

24 Mr. Somers. George Papadopoulos?

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

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

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

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

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

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

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

20 [REDACTED] No.

21 Mr. Somers. Okay.

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

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

25 Mr. Somers. So, Mr. --

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20          ██████████ Not to my recollection.

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

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

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

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

10 [REDACTED] Mr. Laufman.

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

14 [REDACTED] Can I answer that, Patrick?

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

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

18 [REDACTED] Okay.

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

20 [REDACTED] That's correct.

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

23 [REDACTED] Yes.

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

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

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

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

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

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

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

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

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

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

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

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

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

12          ██████████ Yes.

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

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

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

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

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

9           ██████████ No, I met them there.

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

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

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

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

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

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

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

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

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

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

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

24 [REDACTED] I don't remember any.

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

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

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

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

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

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

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

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

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

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

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

23 Mr. Somers. Yes.

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

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

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

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

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

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

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

1 returned to DOJ?

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

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

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

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

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

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

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

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

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

14           Mr. Baker. Well, what was --

15           Mr. Findlay. -- his own impression.

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

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

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

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

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

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

9 Mr. Baker. Did --

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

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

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

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

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

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

1 no.

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

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

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

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

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

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

23 Mr. Somers. Absolutely. Absolutely.

24 [Brief pause.]

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

1 something you have to deal with too often.

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

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

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

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

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

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

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

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

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

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

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

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

16 [REDACTED] No.

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

19 [REDACTED] At the time?

20 Mr. Somers. At the time.

21 [REDACTED] No.

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

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

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

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

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

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

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

12          ██████████ Correct.

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

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

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

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

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

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

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

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

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

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

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

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

1 agreements tailored towards specific potential criminal  
2 liability?

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

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

11 [REDACTED] Yes.

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

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

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

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

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

1 the FBI?

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

5 Mr. Somers. Okay.

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

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

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

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

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

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

24 [REDACTED] No.

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

1 prior to your attendance in this interview?

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

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

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

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

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

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

1 Moscow.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5 Mr. Baker. -- 30 seconds.

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

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

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

24 Mr. Baker. Thank you.

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

1       how long do you guys need?

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

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

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

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

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

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

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

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

16      ██████████ Mm-hmm.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 [REDACTED] Not a specific reference --

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

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

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

10 [REDACTED] I don't believe so.

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

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

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

17 [Brief pause.]

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

23 [REDACTED] What page is this?

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

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

13 [REDACTED] Yes.

14 Mr. Poe. (Off audio.)

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

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

17 You've answered the question.

18 [Laughter.]

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

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

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

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

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

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

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

14 Mr. Poe. Sure.

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

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

20 Mr. Somers. Yeah, second full.

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

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

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

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

25 [Brief pause.]

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

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

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

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

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

12 Mr. Poe. Well --

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

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

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

19 Mr. Somers. We could --

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

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

25 Ms. Sawyer. Yeah, I --

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

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

11           ██████████ May I answer that one?

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

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

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

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

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

8 Ms. Sawyer. Yeah.

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

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

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

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

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

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

24 Court Reporter. Off the record.

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

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

2 Mr. Charlet. And Heather?

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

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

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

22 [REDACTED] Yes.

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

25 [REDACTED] Yes.

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

2 [REDACTED] Once.

3 Mr. Charlet. And for how long approximately?

4 [REDACTED] No more than 2 hours.

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

8 [REDACTED] Yes.

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

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

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

16 [REDACTED] No.

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

20 [REDACTED] No.

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

24 [REDACTED] No.

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

1 that involved you in the OIG reports?

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

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

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

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

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

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

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

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

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

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

19 [REDACTED] Yes.

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

22 [REDACTED] No.

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

1 [REDACTED] No.

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

5 [REDACTED] No.

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

11 [REDACTED] No.

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

18 [REDACTED] No.

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

21 [REDACTED] No.

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

25 [REDACTED] No.

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

2 [REDACTED] No.

3 Mr. Charlet. What was your goal?

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

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

9 [REDACTED] No.

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

15 [REDACTED] No.

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

22 [REDACTED] No.

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

1 [REDACTED] No.

2 Mr. Charlet. Do you have any questions?

3 [Brief aside.]

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

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

7 Mr. Charlet. Yes.

8 Mr. Somers. Yep.

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

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

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

20 [REDACTED] No.

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

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

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

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

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

8 [REDACTED] Of course.

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

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

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

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

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

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

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

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

25 [REDACTED] I --

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

2 [REDACTED] Twenty-two and 40?

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

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

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

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

13 Mr. Poe. Thank you.

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

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

23 [REDACTED] Appreciate it. Bye bye.

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

# ERRATA



